

TOWNSHIP COMMITTEE MEETING
JANUARY 22, 2007

The regular meeting of the Township Committee of the Township of Cranbury was held at 7:00 p.m. in the Town Hall Meeting Room. Answering present to the roll call was: Township Committee members: Thomas F. Panconi, Jr., Richard Stannard, Pari Stave, Wayne Wittman and Mayor David J. Stout. Also present was: Trishka Waterbury, Esquire, Attorney, Thomas C. Witt, 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 1, 2006 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 1, 2006.
3. Was filed on December 1, 2006 with a Deputy Municipal Clerk at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey and remains on file for public inspection, and
4. Sent to those individuals who have requested personal notice.

Regular Committee Minutes of January 8, 2007

On motion by Ms. Stave, seconded by Mr. Stannard and unanimously carried (with Mr. Wittman abstaining, the Regular Committee Minutes were adopted.

Closed Session Minutes of January 8, 2007

On motion by Ms. Stave, seconded by Mr. Panconi and unanimously carried (with Mr. Wittman abstaining, the Closed Session Minutes were adopted.

Reports and Communications

--Mayor

Mayor Stout reported last week he had attended the 15th Annual Mayors' Day, sponsored by the League of Municipalities in Trenton. The turnout had been the largest in its history and the keynote address was given by Governor Corzine. Of particular interest in the Governor's remarks was: The Office of Comptroller. The Governor is interested in establishing the office to audit the auditors. The purpose is to improve transparency at all levels of government in New Jersey. The other item he discussed was placing a 4% cap on property tax increases to hold the line on spending and a discussion then ensued on the subject of how much exclusion there would be if the cap law should be enacted. Also discussed were debt service and the cost of health and insurance benefits as well as the impact of unfunded State mandates that grow at a rate of over 4% a year. A lot of the outcry was the fact municipal spending grows at a lower rate. Governor Corzine discussed using incentives to utilize shared services and a new school funding formula. The Governor stated in reference to Pensions and Benefits--he supports changes, however premium share should be negotiated. Lastly, the Governor talked about other revenue sources for municipalities. A number of Mayors responded there are no other revenue sources.

Mayor's Notes (Continued)

Mayor Stout stated he had been receiving feedback recently concerning the Township's traffic issues and how important they are. Mayor Stout stated the Township Committee, in response to recent residents' complaints are considering a Resolution this evening for adoption requesting the speed limit be reduced on Old Trenton Road and also on the Work Session for discussion is the pole/sidewalk issue on Station Road.

Mr. Stout also reported he had received a letter from the Middlesex County Improvement Authority, the tool used last year to fund the lease/purchase of the new fire truck, indicating the process was open again and he would defer to anyone who may want to bring it up during the Budget hearings.

--Members of Committee

Mayor Panconi reported he had received an e-mail from Mel Lehr, indicating the Board of Trustees Homeowners' Association for The Four Seasons had met with the Developer's (K-Hovnanian) representatives to discuss outstanding issues at the development and requested the Township NOT send a letter to the Developer as they are addressing a lot of the issues.

--Subcommittees

Mayor Stout reported that the Unexcelled subcommittee had met with the owners of the property, Viridian Partners on January 11th, to basically review with them the meeting the Township had with the D.E.P. and to inform them of the recommendations the subcommittee would be making to the Township Committee. The subcommittee will be recommending to the Township Committee that no changes be made to the existing sewer service area. The subcommittee also conveyed the Township's willingness to consider a plan consistent with its Master Plan and policies and Land Use Ordinance. Mayor Stout indicated there would be a Resolution to be considered for adoption at the next Township Committee Meeting.

Agenda Additions/Changes

The Clerk, Ms. Cunningham, stated Resolution # R 01-07-033 was being added to the Agenda, and would be considered by itself and not on the Consent Agenda. Mr. Wittman requested item d. be added to the Work Session, Discussion of the 2007 Budget.

Resolution

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

Ayes: (Panconi
(Stannard
(Stave
(Stout
(Wittman

Abstain: (None
Absent: (None

Nays: (None

Cranbury Township Resolution # R 01-07-022

**RESOLUTION OF THE TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY**

Cranbury Township Resolution # R 01-07-022
(Continued)

A RESOLUTION ACCEPTING THE HIGHEST BID AT THE LEASE BY AUCTION OF
TOWNSHIP PROPERTY KNOWN AS THE "FISCHER" FARM

WHEREAS, pursuant to Resolution R-12-06-154, and in accordance with the Local Lands and Buildings Law, N.J.S.A. 40A:12-14, the Township of Cranbury authorized the lease by public auction of property located on South Main Street and Old Cranbury Road and shown on the Cranbury Township Tax Maps as Block 19, Lots 11 and 12, consisting of approximately 53.60 acres of land and known as "the Fischer Farm" (collectively, "the Property"); and

WHEREAS, said public auction was duly advertised in accordance with the requirements of the Local Lands and Buildings Law; and

WHEREAS, said public auction was held at 9 a.m. on January 12, 2007; and

WHEREAS, Michael Protinik was present and qualified to bid on the Property at said auction; and

WHEREAS, there were no other bidders; and

WHEREAS, Province's bid for the lease of the Property was the rental amount of two hundred dollars (\$200.00) per year; and

WHEREAS, the Local Lands and Buildings Law requires the Township to award lease of the Property to the highest bidder unless all bids are rejected;

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

1. In accordance with the Local Lands and Buildings Law, N.J.S.A. 40A:12-14, the Property described hereinabove shall be leased to Michael Protinik as the highest bidder at the public auction held on January 12, 2007.
2. The Mayor and Township Clerk are hereby authorized and directed to enter into a Lease Agreement with Michael Protinik, in the form of the agreement attached to the bid documents, for the lease of the Property in the amount of two hundred dollars (\$200.00) per year, said amount being the amount of the highest bid, and to undertake any and all acts and execute any and all documents as may be necessary to effectuate the terms set forth herein and in Resolution 12-06-154.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, do hereby certify that the foregoing resolution is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on January 22, 2007.

Kathleen R. Cunningham, Clerk

Resolution

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

Ayes: (Panconi
(Stannard
(Stave
(Stout
(Wittman

Abstain: (None
Absent: (None

Nays: (None

Mr. Stannard raised his concern with both the previous and following Resolutions, no insurance amounts listed. Mr. Stannard explained it is typical to require a specified amount of insurance, should someone be injured on the property and said insurance should be provided to the Township, with an amount of no less of \$1-million. The Township Attorney indicated she would be reviewing the insurance and she and Mr. Stannard would indicate if the insurance was adequate.

CRANBURY TOWNSHIP RESOLUTION # R-01-07-023

**RESOLUTION OF THE TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY**

**A RESOLUTION ACCEPTING THE HIGHEST BID AT THE LEASE BY AUCTION OF TOWNSHIP
PROPERTY KNOWN AS THE "FROSZTEGA" FARM**

WHEREAS, pursuant to Resolution R-12-06-155, and in accordance with the Local Lands and Buildings Law, N.J.S.A. 40A:12-14, the Township of Cranbury authorized the lease by public auction of property located on North Main Street and shown on the Cranbury Township Tax Maps as Block 25, Lot 60.01, consisting of approximately 31.25 acres of land and known as "the Frosztega Farm" ("the Property"); and

WHEREAS, said public auction was duly advertised in accordance with the requirements of the Local Lands and Buildings Law; and

WHEREAS, said public auction was held at 9 a.m. on January 12, 2007; and

WHEREAS, Michael Protinik was present and qualified to bid on the Property at said auction; and

WHEREAS, there were no other bidders; and

WHEREAS, Protinik's bid for the lease of the Property was the rental amount of one hundred dollars (\$100.00) per year; and

WHEREAS, the Local Lands and Buildings Law requires the Township to award lease of the Property to the highest bidder unless all bids are rejected;

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

Cranbury Township Resolution # R 01-07-023
(Continued)

3. In accordance with the Local Lands and Buildings Law, N.J.S.A. 40A:12-14, the Property described hereinabove shall be leased to Michael Protinik as the highest bidder at the public auction held on January 12, 2007.

4. The Mayor and Township Clerk are hereby authorized and directed to enter into a Lease Agreement with Michael Protinik, in the form of the agreement attached to the bid documents, for the lease of the Property in the amount of one hundred dollars (\$100.00) per year, said amount being the amount of the highest bid, and to undertake any and all acts and execute any and all documents as may be necessary to effectuate the terms set forth herein and in Resolution 12-06-155.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, do hereby certify that the foregoing resolution is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on January 22, 2007.

Kathleen R. Cunningham, Clerk

Resolution

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

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

Nays: (None

Mr. Stannard indicated he had received, earlier in the evening, a copy of a letter to Mr. Kerzner from Mr. Henry's (Mr. Kerzner's neighbor) attorney, indicating Mr. Henry had only recently obtained engineering reports from an engineer he had personally retained and asked that the Township not adopt the two (2) Resolutions this evening. Mr. Stannard indicated there were issues with delaying the adoption of the two Resolutions—New Jersey law dictates the Township must release the funds to Mr. Kerzner within 45 days of the letter of request to the Township from the Township Engineer, after her inspection. Ms. Waterbury, Township Attorney, indicated the law is very specific as to what the Township Committee can and cannot do, with specific times within to act. She also stated, Mr. Kerzner had provided, on November 17, 2006, updated as-built surveys, at the request of the Township Engineer. The Township Engineer had then signed off indicating Mr. Kerzner had complied with all requirements and there was no basis for not releasing the monies to Mr. Kerzner. If not, the Township would be open for litigation by Mr. Kerzner. Mr. Stannard stated, for the record, this does not foreclose any other remedy that an aggrieved might have or to the extent that anyone may have; they are covered by the Maintenance Bond. The Township is not stopping anyone from pursuing a complaint.

Cranbury Township Resolution No. 01-07-031

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR KERZNER BLOCK 2.01 LOT 2.01

Cranbury Township Resolution # R 01-07-031
(Continued)

WHEREAS, by letter dated October 17, 2006, Kerzner Associates 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 December 18, 2006 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Performance Bond	\$ 238,453.04
Cash	\$ 26,494.12

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

1. It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".
2. It hereby authorizes the release of performance guarantees set forth in the Township Engineer's letter referenced above.
3. 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. Kerzner Associates
- d. Township Attorney

CERTIFICATION

I, Kathleen R Cunningham do hereby certify that the foregoing is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on January 22, 2007.

Kathleen R. Cunningham, Clerk

Resolution

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

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

Nays: (None

Cranbury Township Resolution No. 01-07-032

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

Cranbury Township Resolution # R 01-07-032
(Continued)

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR KERZNER
BLK 2.01 LOT 2.02

WHEREAS, by letter dated October 17, 2006, Kerzner Associates 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 December 18, 2006 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Performance Bond	\$ 164,725.16
Cash	\$ 18,295.24

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

1. It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".
2. It hereby authorizes the release of performance guarantees set forth in the Township Engineer's letter referenced above.
3. 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. Kerzner Associates
- d. Township Attorney

CERTIFICATION

I, Kathleen R Cunningham do hereby certify that the foregoing is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on January 22, 2007.

Kathleen R. Cunningham, Clerk

Resolution

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

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

Nays: (None

Mayor Stout explained the Resolution was an "outgrowth" from residents' concerns with traffic and the Township, having tried in the past to have the speed reduced, would attempt to try again. Mayor Stout indicated he would be sending a copy of the Resolution with a letter to the Middlesex County Board of Freeholders, asking for their assistance.

Cranbury Township Resolution # R 01-07-033

TOWNSHIP OF CRANBURY

COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

A RESOLUTION CONCERNING THE TOWNSHIP OF CRANBURY'S REQUEST TO THE COUNTY OF
MIDDLESEX TO LOWER THE SPEED LIMIT ALONG OLD TRENTON ROAD

WHEREAS, Old Trenton Road, also known as County Route 535, extends through the Township of Cranbury from the Township's border with East Windsor Township, Mercer County, in a northeasterly direction to its intersection with South Main Street; and

WHEREAS, along this stretch of road, Old Trenton Road is bordered by residential neighborhoods, single family homes and recreational facilities such as Millstone Park and the Cranbury Swim Club; and

WHEREAS, Township residents and children routinely walk along and cross Old Trenton Road to access Millstone Park, the Cranbury Swim Club and other amenities in the area; and

WHEREAS, several school bus stops are located on this road; and

WHEREAS, Township residents have expressed their concerns about speeding, illegal passing and other activities impacting on the general safety of pedestrians and other motorists along Old Trenton Road; and

WHEREAS, the Township is concerned that the current speed limit of 50 miles per hour along Old Trenton Road, combined with the road's wide, unmarked shoulders, promotes speeding as well as illegal passing, thereby jeopardizing the safety of children, pedestrians and other motorists; and

WHEREAS, lowering the speed limit on Old Trenton Road between U.S. Route 130 and County Route 571 from 50 miles per hour to 40 miles per hour has already proven effective in improving traffic safety and reducing accidents; and

WHEREAS, other improvements to Old Trenton Road, such as striping and the creation of "sidewalk bump outs" may also assist in improving safety along the road; and

WHEREAS, the County of Middlesex has expressed its interest in working with the Township to improve safety along Old Trenton Road;

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

1. The Township hereby requests and petitions the County of Middlesex to lower the speed limit along Old Trenton Road (a/k/a County Route 535), from the

Cranbury Township Resolution # R 01-07-033
(Continued)

2. Township's border with East Windsor Township, Mercer County, to South Main Street, from 50 miles per hour to 40 miles per hour.
3. The Township, through its Mayor, staff and professionals is hereby authorized and directed to request from and work with the County of Middlesex to seek a reduction in the speed limit along Old Trenton Road and to effect such other changes as may be recommended to improve the safety along Old Trenton Road for pedestrians and motorists.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, do hereby certify that the foregoing is a true and correct copy of a resolution passed by the Township Committee of the Township of Cranbury at its meeting held on January 22, 2007.

Kathleen R. Cunningham, Clerk

Resolution
Consent Agenda

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

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

Nays: (None

Cranbury Township Resolution # R 01-07-024

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 # R 01-07-025

WHEREAS, the Tax Collector has determined, there were erroneous paid taxes which caused an overpayment on a parcel for the 2006 property taxes,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury that the following 2006 erroneously paid property taxes be refunded:

BLOCK	LOT	ASSESSED TO	AMOUNT
21.03	7	Floyd N. Michel, Jr. & Debra N. Michel	\$20,939.04

CERTIFICATION

I, Kathleen R. Cunningham, Township Clerk of the Township of Cranbury, hereby certify that this is a true copy of a Resolution which was adopted at a regular meeting on January 22, 2007.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 01-07-026

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF EXTRA DUTY ESCROW

WHEREAS, the Departure Films has outstanding credits in their Extra Duty escrow account previously posted with the Township.

WHEREAS, the Police Department has no outstanding bills

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the Township of Cranbury release outstanding credits in Departure Film's extra duty escrow account.

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

- (a) Township Chief Financial Officer
- (b) Departure Films, Tim Robbins

CERTIFICATION

I do hereby certify that the foregoing is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on January 22, 2007.

Kathleen R Cunningham, Clerk

Cranbury Township Resolution # R 01-07-027

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

**A RESOLUTION REGARDING THE USE OF A PORTION OF THE AETNA LIFE INSURANCE
BUILDING AS A TEMPORARY EMERGENCY SHELTER**

WHEREAS, Aetna Life Insurance ("Aetna") presently owns improved property located at 1 Farr View Drive and designated on the Cranbury Township Tax Map as Block 5, Lot 2.04; and

WHEREAS, said property was previously owned by Prudential Insurance Co. ("Prudential"); and

WHEREAS, by letter dated December 2, 1997, Prudential granted permission to the Township of Cranbury to use the cafeteria area in its building as a temporary emergency shelter; and

WHEREAS, in exchange, the Township by Resolution R 12-97-168 agreed to indemnify and hold Prudential harmless from any claims arising out of the Township's said use; and

WHEREAS, the Township wishes to continue to use portions of the building as a temporary emergency shelter should the need arise; and

WHEREAS, as a pre-condition to said use, Aetna requires that the Township indemnify and hold it harmless against claims arising from the Township's use;

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

Cranbury Township Resolution # R 01-07-027

(Continued)

1. The Township of Cranbury hereby agrees to hold Aetna Life Insurance, its employees, officers and directors harmless from any liability arising out of the Township's use of the property referenced hereinabove as a temporary emergency shelter, and to indemnify Aetna Life Insurance, its employees, officers and directors for all damages, costs, fees and expenses, including reasonable attorneys' fees, arising from any such claims.

2. The Mayor, Administrator, Clerk and other appropriate Township staff and officials are hereby authorized to execute any documents and undertake any acts that may be necessary and proper to effectuate the terms hereof.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, do hereby certify that the foregoing resolution is a true copy of a resolution passed by the Township of Cranbury at a meeting duly held on January 22, 2007.

Kathleen R. Cunningham, Clerk
Cranbury Township Resolution # R 01-07-028

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR PARKS PURPOSES

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:40-39 provides that the Director of the Division of Local Government Services may approve expenditures or money by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, County of Middlesex, New Jersey as follows:

1. The Township Committee does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39, as amended by P.L. 1999, c. 292 for the exclusive purpose of depositing contributions and gifts to the Parks Commission and expending funds to offset the costs of maintaining and beautifying the Parks.
2. The Municipal Clerk is hereby directed to forward two (2) certified copies of this resolution to the Director of the Division of Local Government Services.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey, at a regular meeting held on January 22, 2007.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 01-07-029

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 01-07-029

(Continued)

WHEREAS, the County of Middlesex has received a grant from the State of New Jersey to be used for alcoholism and drug abuse prevention and education services to Middlesex County residents; and

WHEREAS, the County desires to provide the sum of \$6,566.00 from State funds, to the Township of Cranbury, including \$4,966.00 to be used for related municipal alliance related activities, \$1,000 for related equipment and \$600 to be used for Municipal Alliance training activities; and

WHEREAS, the Township of Cranbury must provide matching funds in the amount of \$6,566.00 cash and in-kind services to receiving the aforementioned sum; and

WHEREAS, an Agreement is necessary to set forth the terms and conditions under which the County will pay said monies;

NOW, THEREFORE, in consideration of the payment of said monies and the said services to be rendered,

BE IT RESOLVED, by the Township Committee of the Township of Cranbury, that the Mayor and Clerk are hereby authorized and directed to execute on behalf of the Township of Cranbury the Agreement attached hereto as Exhibit A or other substantially similar agreement and has been approved, and to undertake any all acts necessary to effectuate the terms hereof.

CERTIFICATION

I, Kathleen R. Cunningham, Township Clerk, hereby certify that this is a true copy of a Resolution which was adopted at a regular meeting on January 22, 2007.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 01-07-030

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF EXTRA DUTY ESCROW

WHEREAS, the Pearson Education has outstanding credits in their Extra Duty escrow account previously posted with the Township.

WHEREAS, the Police Department has no outstanding bills

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the Township of Cranbury release outstanding credits in Pearson Education's extra duty escrow account.

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

- (a) Township Chief Financial Officer
- (b) Pearson Education, Michele Blash

Cranbury Township Resolution # R 01-07-030
(Continued)

CERTIFICATION

I do hereby certify that the foregoing is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on January 22, 2007.

Kathleen R Cunningham, Clerk

Reports from Township staff and professionals

Ms. Cunningham, Clerk, reported she had received, on January 5, 2007, the Annual Report for 2006 from the Cranbury Arts Council and had placed a copy at each Township Committee member's desk before the meeting.

Mr. Witt, Township Administrator reported, a few weeks ago a resident had spoke during the Township Committee meeting concerning the red light at the intersection of Plainsboro and North Main Street and Old Trenton Road and South Main Street not working properly. Mr. Witt reported he had been in touch with the County, who came out to assess the situation. Plainsboro Road's light problem is due to the wires being cut when the PSE&G gas line was prepared. The County indicated the problem cannot be fixed until early Spring when the weather is warmer due to the epoxy not being able to be put down in cold weather. The light on Old Trenton Road and Main Street was fixed on Friday and that problem had been a control problem. A resident spoke and indicated the light still is not working. Mr. Witt indicated he would have them come back out again.

Reports from Township Boards and Commissions

There were no reports.

Work Session

a. Discussion of Station Road Sidewalk/Utility Poles

The Township Committee discussed the on-going issue of the two utility poles located on Station Road. Mayor Stout led the discussion, stating the issue came up last year, with the residents' concern of not being able to move freely on the sidewalk in a safe manner. In addition there is only a sidewalk on the south side of Station Road. Mr. Witt stated, he had discussed moving the pole with PSE&G and they had indicated that guide wires would be needed as well as an easement from the homeowner, Mr. Golubieski. PSE&G also had indicated if the two poles were moved across the street, it would be very cost prohibitive and did not include Comcast or Verizon. Mr. Witt stated, if Mr. Golubieski is in agreement, the easiest fix and quicker remedy would be to install "bump ins" around the two existing poles. Mr. Witt reported he had researched the width of a twins stroller, that being 30" and suggested making the sidewalk 36" to

accommodate a wide stroller as well as pedestrians. Ms. Kathleen Argiriou, 11 Stockton Road, spoke stating her stroller is 19" wide and cannot fit through and neither can her son's bike, causing them to have to go down in to the road to walk and stressed how dangerous the area is. Mr. Witt indicated he was going to have 38" clearance which seemed feasible. Mr. Witt added, he would have to slice Mr. Golubieski's wall eight feet on each side to do so. Mr. Jim Golubieski, the Station Road, stated his main concern is his copper beach tree which is over 200 years old. Mr. Witt responded no work be done near the tree, only rounding in the existing wall. Mr. Witt offered to go out to Mr. Golubieski's property to lay out for him exactly what is planned. Ms. Stave asked, why a sidewalk could not be built out the other way. Mayor Stout responded, it would get in the cart way of the road and would be unsafe. Mr. Panconi asked the cost of the wall. Mr. Witt responded, approximately \$2,000.00. Ms. Jill Frost, 13 Stockton Drive, thanked the Township Committee for addressing the issue. Ms. Frost asked if the grant money that was

Work Session(Continued)

a. Discussion of Station Road Sidewalk/Utility Poles(cont'd)

recently applied for through "Safe Routes to Schools" program could be used for this project. Mayor Stout responded, the grant had already been submitted and the money would have to be used for its specific purpose. Ms. Frost asked if the sidewalk were going to start at the beginning of the driveway closest to Main Street. Mr. Witt responded, indicating the sidewalk would not start at the beginning of the driveway and he would be placing "pin flags" on the property outlining where the sidewalk would be installed. Ms. Frost raised a concern with Mr. Golubieski's garbage cans being on the sidewalk and asked if some accommodation were going to be made, stating he had no other place to place them. Mayor Stout explained the Township was trying to come up with a feasible plan which addresses the safety issue, is economical and causes very little hardship to the homeowner. Mayor Stout stated the Township is also looking to the future and there may be some additional changes to Station Road. Mr. Stout asked Ms. Frost to be patient. Ms. Frost stated there are currently nine children, with another three the following year, two the next year and one after that who would be walking just from her block (Stockton Drive). Ms. Stave asked if there were an easement that would go from Heritage Park, through Southberry Lane that children could walk through. Mr. Witt indicated he would check to see, however, he doubted it. Mr. Jim Golubieski, the homeowner on Station Road, stated he wants to be reasonable about the issue, however, he has been a resident and has lived in his house for over 20 years and also has rights. Mr. Golubieski also stated, he did not create the situation and is trying to help the situation and is not moving his garbage cans. Mayor Stout ended the discussion, stating the Township, with Mr. Golubieski's cooperation, planned to have the issue resolved before the start of the next school year, at the latest.

b. Monthly Update on Revaluation by Steve Benner, Tax Assessor

Steve Benner, Tax Assessor, gave his monthly update on the Township's Revaluation. Mr. Benner reported the revaluation is on schedule and the last of the reviews had been conducted on January 17th. Mr. Benner stated 270 property owners had come in, which represented 300 properties or 20% of the overall base. Mr. Benner reported sales information was still coming in. The revaluation company had also conducted over the phone reviews and he would be going up to their offices on Wednesday to review all reviews, etc. On the 31st of January the books will be closed on the revaluation and certified that evening. The property owners will then receive their official notification. The residents will then have to follow the appeal process through the County Board of Taxation. Ms. Stave stated she had received feedback from residents, commending Mr. Benner for a good job and his demeanor with the residents, Mayor Stout echoed Ms. Stave's remarks. Mr. Wittman asked Mr. Benner to review what would happen should the market go down another point—could the Township re-do the revaluations accordingly. Mr. Benner responded yes the Township could, as long as there was proof there was a global change; however the Township would have to pay for another revaluation.

c. Discussion of Township Committee's 2007 Goals

Mayor Stout asked the Township Committee members to think about their 2007 goals and send them to him before the next meeting on February 12th. Mayor Stout complimented Mr. Panconi for his leadership as Mayor in 2006 for accomplishing common goals such as the Recreation Master Plan, the Environmental Resource Inventory and keeping the revaluation process on target, progress on the Third Round of COAH and completion of the Outdoor Dining Ordinance, as well as the H.P.C. Ordinance and instituting the "Cranbury Crawl".

Work Session (Continued)

d. Discussion of 2007 Budget

Mr. Wittman stated he was going to try to change a scheduled appointment to visit a college with his daughter and if not, he would be meeting with Ms. Marabello, C.F.O. and Mr. Witt, Township Administrator on Wednesday to go over the 2007 Budget. Mr. Wittman also asked if the various Committees were given a specific time to come in and discuss their budgets with the Township Committee. Mr. Witt responded, he did not believe so, however, would check with Ms. Marabello. Mr. Witt added the procedure usually is for the Township Committee members to review the Budget first and then later call in the various Boards, Commissions and Committees. Ms. Stave asked if the Municipal Alliance would come in at that time to discuss how they were going to spend the \$20,000 grant monies for the new senior room in the lower level of Town Hall. Mayor Stout indicated they would. Mayor Stout also agreed with Mr. Witt; the Township Committee members would review the Budget first, then get in touch with the different entities to come in and explain their past budget and their request for this year. Mr. Witt also added, the reason the Township Committee 2007 Budget discussions are starting late is due to the revaluation.

Public Comment (For those items not on the Agenda)

The Mayor opened the meeting to public questions and comments on those items not on the agenda. There being no comments, the Mayor closed the public part of the meeting.

Mayor's Notes

Mayor Stout stated he had held his first Mayor's hours this past Saturday. Mr. Witt, Township Administrator had attended. Mayor Stout will be conducting Mayor's hours again before the second Township Committee meeting in February.

Mayor Stout reported the Township had been asked by the County to appoint an individual to the Housing and Community Development Committee. Mr. Witt had been appointed as the Mayor's representative, however, another member would be required. Mayor Stout indicated the individuals are allowed to vote at the meetings and asked if anyone had any names, to please let him know. Ms. Cunningham, Clerk, if the County needed the name right away and she indicated the gentleman from the County indicated he would like the name the following day as the first meeting is February 3, 2007. Mr. Wittman volunteered, as the affordable housing liaison, to attend the meeting. Mr. Witt indicated there may be a budget meeting on that Saturday and indicated he and the Clerk would call the County to determine if attendance is imperative.

Mayor Stout stated he would like to list for an upcoming Work Session item, forming a community working group to study alternative energy sources, and their feasibility in particular, for use in the Township's public buildings. Mayor Stout suggested having the item discussed at the Township's second meeting in February and urged Township Committee members to reach out to individuals who may be interested in serving.

On motion by Mr. Wittman, seconded by Mr. Panconi and unanimously carried, the meeting adjourned at 8:12 p.m.

Kathleen R. Cunningham, Clerk