

TOWNSHIP COMMITTEE MEETING
MARCH 26, 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, 2007 on the Bulletin Board of the Municipal Office at 23-A North Main Street, Cranbury, New Jersey and remains posted at that location as well as the Township's web site.
2. Communicated to the Cranbury Press, Home News Tribune and Trenton Times on March 15, 2007.
3. Was filed on March 15, 2007 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.

Resolution

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

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

Nays: (None

Cranbury Township Resolution # R 03-07-067

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

RESOLUTION TO CLOSE MEETING TO THE PUBLIC

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

The general nature of the subject to be discussed in this session is as follows:

- Personnel: Review and evaluation of candidates for Township Administrator;
- Land Acquisition/Contract Negotiations: Acquisition of "Route 130-D" property for affordable housing purposes;
- Litigation: Everhome Mortgage vs. Township of Cranbury.

Cranbury Township Resolution # R 03-07-067
(Continued)

It is unknown at this time precisely when the matters discussed in this session will be disclosed to the public. Matters involving contract negotiations or the acquisition of land will be disclosed upon conclusion of the negotiations or upon approval of the acquisition. Matters involving personnel will be disclosed when the need for confidentiality no longer exists. Matters concerning litigation will be announced upon the conclusion of trial or settlement of that litigation or when the need for confidentiality no longer exists.

Date: March 26, 2007

On motion by Mr. Stannard, seconded by Mr. Wittman and unanimously carried, the meeting returned to Open Session:

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

Nays: (None

Regular Committee Minutes of March 12, 2007

On motion by Ms. Stave, seconded by Mr. Stannard and unanimously carried, the Regular Committee Minutes of March 12, 2007 were adopted.

Closed Session Minutes of March 12, 2007

On motion by Ms. Stave, seconded by Mr. Wittman and unanimously carried, the Closed Session Minutes of March 12, 2007 were adopted.

Regular Committee Minutes of Special Meeting of March 22, 2007

On motion by Mr. Wittman, seconded by Mr. Stannard and unanimously carried, the Regular Committee Minutes of March 22, 2007 were adopted.

Closed Session Minutes of Special Meeting of March 22, 2007

On motion by Mr. Stannard, seconded by Mr. Wittman and unanimously carried, the Closed Session Minutes of March 22, 2007.

Reports and Communications

--Mayor

Mayor Stout reported the Township Committee had begun the process of interviewing candidates for the new Township Administrator and will provide updates as the process proceeds forward in the upcoming six to eight weeks. Mayor Stout also reported the first meeting of the Alternative Energy Sustainability subcommittee had taken place on March 21, 2007. Mayor Stout thanked the ten residents who had joined him for an engaging and informative session. The Committee will again meet; open to the public, on Wednesday, April 18, 2007 at a time to yet be determined. A lot of great ideas had been exchanged and the subcommittee had discussed a series of near, mid and long-term goals. In the near term goals, the subcommittee will report back to the Township Committee following the next meeting with a recommendation for conducting an energy-efficient audit of the Police Station and Town Hall at a minimum. Mayor Stout stated there are two members of the subcommittee both of whom work in the energy community and they will provide input. In addition, Mr. Witt had received an energy-efficient audit

proposal from one vendor and suggested members review it. Another member of the subcommittee will be doing research on street lights. Mayor Stout reported there would be a complimentary session at the Library on April 14, 2007 about alternative energy supplies and what residents can do. Mayor Stout

Reports and Communications(Continued)

--Mayor (cont'd)

mentioned another member wanted to review the Township's consumption and costs and stated he wanted to discuss and get the Township Attorney's opinion on that member looking into the feasibility of the Township purchasing an "esco" as a means to achieve other savings (going out in to the marketplace to buy power). Mayor Stout stated all members on the subcommittee had been in agreement that efficiency and reduction in consumption offered the lowest options for near-term real savings as other long-term energy savings require more research into the technical and financial capabilities. Mayor Stout added, the Cranbury Board of Education would be invited to the next meeting since they would be interested in utilizing cost savings on energy.

Mayor Stout reported he had received the 2006 Report highlighting the Township's Environmental Commission and thanked the Environmental Commission for their hard work in 2006 as well as their continued efforts in 2007.

Mayor Stout had received a note from the Planning Board the Recreational Master Plan subcommittee will make a presentation of their work at a joint meeting on Thursday, April 19, 2006. Mayor Stout explained the reason for the Joint meeting notice is due to both Mr. Panconi and Mr. Stannard being members of the Planning Board. If one other Township Committee person should be in attendance that would constitute a Township Committee meeting.

Mayor Stout reported a lot of residents from Plainsboro Road had contacted him regarding surveyors on the road. Verizon is installing fiber optics on Plainsboro Road. Also, Mayor Stout reported there are traffic counts being conducted on Old Trenton Road.

--Members of Committee

Mr. Panconi reported while driving down Halsey Reed Road the other day he had noticed the residents were almost hooked up to the water service—the water boxes were in front of the homes as well as a hydrant.

Agenda Additions/Changes

Ms. Cunningham, Clerk, announced Mr. Witt had requested adding Resolution # 03-07-074 to the Consent Agenda. Mr. Witt then explained the Resolution was mandatory for the Township's Recycling program and memorializes the Township's commitment to recycling. Ms. Waterbury, Township Attorney, added one item to the Closed Session Resolution—Litigation: Everhome Mortgage vs. Township of Cranbury and Bailey, Docket # F 3137-07, a foreclosure action on a Township Affordable Housing Unit and she needed to update the Township Committee. Mr. Stannard asked Cranbury Township Resolution # 03-07-071 be removed from the Consent Agenda. Mr. Stannard explained the Agreement needed to be discussed before being listed on an Agenda as he had some questions. Ms. Stave asked that an item be added to the Work Session, item c.—Discussion on Status of Potato Barn.

Ordinance

First Reading

CRANBURY TOWNSHIP ORDINANCE 03-07-04

AN ORDINANCE OF THE TOWNSHIP OF CRANBURY AMENDING "AN ORDINANCE FIXING THE SALARIES, WAGES AND BENEFITS FOR VARIOUS OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF CRANBURY PROVIDING FOR THE MANNER OF PAYMENT THEREOF, AND RATIFYING SALARIES AND PAYMENTS TO EMPLOYEES AND OFFICIALS PREVIOUSLY PAID".

Ayes: (Stannard
(Stave
(Stout

Abstain: (None
Absent: (None

Cranbury Township Ordinance # 03-07-04
(Continued)

(Wittman

Nays: (Panconi

Public Hearing: April 9, 2007

SECTION 1. The following salaries, wages and fees shall be paid to the various Township Officials and employees of the Township of Cranbury as hereinafter specified, effective, January 1, 2007 unless otherwise noted:

<u>POSITION</u>		<u>SALARY OR HOURLY RATE</u>
Mayor	up to	\$ 7,437.00 per year
Township Committee	up to	\$ 5,950.00 per year
Township Clerk/Registrar	up to	\$ 73,351.00 per year
Township Administrator	up to	\$ 100,000.00 per year
Tax Assessor	up to	\$ 48,667.00 per year
Tax Collector	up to	\$ 56,784.00 per year
Police Chief	up to	\$117,015.00 per year
Zoning Officer	up to	\$ 8,825.00 per year
Construction/Building Sub-Code Official	up to	\$ 13,746.00 per year
Building Inspector (p/t)	up to	\$ 31,478.00 per year
Building Inspector (f/t)	up to	\$ 54,410.00 per year
Plumbing Sub-Code Official	up to	\$ 29,135.00 per year
Electrical Sub-Code Official	up to	\$ 35,720.00 per year
Fire Sub-Code Official	up to	\$ 6,264.00 per year
Fire Official	up to	\$ 22,467.00 per year
Ass't Fire Inspector	up to	\$ 3,600.00 per year
Superintendent of Public Works	up to	\$ 53,096.00 per year
Sewer Superintendent	up to	\$ 27,843.00 per year
Recycling Coordinator	up to	\$ 9,282.00 per year
Animal Control Officer	up to	\$ 7,301.00 per year
Director of Recreation	up to	\$ 12,318.00 per
year		
Summer Recreation Supervisors*	up to	\$ 4,500.00 per year
Summer Programs Directors*	up to	\$ 7,000.00 per year
Chief Financial Officer	up to	\$ 48.08 per hour
Accounts Payable/Purchasing Clerk	up to	\$ 22.18 per hour
Deputy Treasurer/Sewer Collector	up to	\$ 21.09 per hour

Assistant to the Assessor/Payroll

Clerk	up to	\$ 24.73 per hour
Police Secretary	up to	\$ 19.47 per hour
School Crossing Guards	up to	\$ 16.50 per hour

Cranbury Township Ordinance # 03-07-04
(Continued)

<u>POSITION</u>		<u>SALARY OR HOURLY RATE</u>
Planning Administrative Officer/Zoning Board Secretary	up to	\$ 26.32 per hour
Public Works Assistant/HPAC Secretary	up to	\$ 21.37 per hour
Building Inspector II	up to	\$ 26.78 per hour
Technical Assistant/Alternate Deputy Registrar	up to	\$ 21.93 per hour
Deputy Registrar/Office Assistant	up to	\$ 21.09 per hour
Fire Inspector	up to	\$ 2.67 per hour
Public Works Foreman	up to	\$ 25.63 per hour
Heavy Equip Operator/Public Works	up to	\$ 22.20 per hour
Sewer Assistant	up to	\$ 21.48 per hour
Public Works Mechanic	up to	\$ 21.12 per hour
Public Works Employees**	up to	\$ 20.09 per hour
Small Animal Control Officer	up to	\$.93 per hour
Temporary Help*	up to	\$ 21.00 per hour
Part-time Clerical Help*		\$ 12.48 to \$ 18.39 per hour
Other Part-time Board Secretaries*		\$ 12.48 to \$ 18.39 per hour
Summer Program Employees*	up to	\$ 3.12 to \$ 20.80 per hour
Emergency Services Incentive-First Aid Responder	up to	\$ 1.00 per hour
Emergency Services Incentive-Fire Responder	up to	\$ 1.00 per hour
Municipal Alliance Director	up to	\$ 25.00 per hour
LOSAP	not to exceed 4% Retroactive to year end 2006	\$1451/member

*Set by memo of the Administrator

**Set by memo of the Department Head w/approval of the Administrator

A. PAID HOLIDAYS

All full-time employees (except members of the bargaining unit whose salaries, benefits and working conditions are governed by a separate agreement), shall be entitled to eleven (11) paid holidays annually as follows:

1. New Years Day
2. Martin Luther King Day

3. President's Day
4. Good Friday
5. Memorial Day
6. Independence Day
7. Labor Day

Cranbury Township Ordinance # 03-07-04
(Continued)

8. Veteran's Day
9. Thanksgiving Day
10. Friday after Thanksgiving Day
11. Christmas

B. PERSONAL DAYS

All full-time employees shall be entitled to three (3) personal days per year (they cannot be carried over) and must be approved by the Department Head. Any personal time of less than one half hour shall be charged as one half hour.

All part-time employees receive personal days on a pro-rata basis where such part-time personnel normally work at least 15 regularly scheduled hours per week (or based on employment agreement with the Township Administrator).

C. SICK PAY

All full-time employees shall be entitled to sick days in accordance with the following standards:

During the first calendar year of employment, Township employees shall be entitled to 1.75 sick days for each calendar quarter or portion thereof that they have actually worked for the Township. Thereafter, Township employees shall be entitled to seven (7) sick days per calendar year that they have actually worked. Said sick days may be accumulated to a maximum of 120 days. There would be a one – time buyout of 50% of accumulated sick leave upon retirement, with one year written notice, not to exceed \$15,000.00. The purpose hereof is to ensure that employees will be compensated within the framework hereof for days during which they shall become ill and unable to work. It is not intended that sick days will be considered days off as a matter of right and unrelated to illness.

In the event any employee is required to be absent because of sickness in excess of three (3) consecutive days, a doctor's certificate evidencing said illness will be required to be furnished to the Township at the time said employee returns to work. In the event that any such day or portion thereof is taken on the day prior to, or the day immediately after a vacation or holiday, said employees will likewise furnish a doctor's certificate evidencing said illness to the Township at the time of returning to work. Sick time is to be taken in no less than one hour increments. Any sick time of less than one half hour shall be charged as one half hour.

All part-time employees receive sick days on a pro-rata basis where such part-time personnel normally work at least 15 regularly scheduled hours per week (or based on employment agreement with the Township Administrator).

D. VACATION PAY

All full-time employees of the Township of Cranbury shall be entitled to annual vacation days in accordance with the following formula:

1. Any full-time employee commencing employment after July 1st of a given year shall not be entitled to receive a vacation during the first calendar year of employment. Any employee commencing

employment before July 1st of a given year shall be entitled to receive one-half (1/2) day vacation for each full month of employment during said first calendar year,

2. During the second through the fifth years of employment, all employees shall be entitled to receive a vacation totaling ten (10) working days per year.

3. During the sixth through the fifteenth years of employment, all employees shall be entitled to receive a vacation totaling fifteen (15) working days per year.

Cranbury Township Ordinance # 03-07-04
(Continued)

4. From the sixteenth year and thereafter, all employees shall be entitled to receive a vacation totaling twenty (20) working days per year.

5. All vacation days must be taken during the particular year, except that not exceeding five (5) vacation days may be taken within the first six months or, by July 1st, of the following year.

6. No employee shall be entitled to receive additional compensation for vacation days not taken in accordance with the above.

7. Other leave negotiated as part of an offer of employment shall be approved by the Township Committee and set by letter of the Administrator.

Any vacation time of less than one half hour shall be charged as one half hour.

All part-time employees receive vacation days on a pro-rata basis where such part-time personnel normally work at least 15 regularly scheduled hours per week (or based on employment agreement with the Township Administrator).

E. BEREAVEMENT LEAVE

In the event of the death of a husband, wife, parent, sibling, son, daughter, grandparent, or individual who was primarily responsible for raising the employee, the employee will be granted up to a five (5) day leave. For the death of a mother-in-law, father-in-law, brother-in-law, sister-in-law, niece or nephew, the employee will be granted up to a four (4) day leave. This leave will be with pay. This bereavement leave, if scheduled during a time when other excused leave has been granted, will not be in addition to that leave. A one day leave of absence with pay may be granted by the Township Administrator, at his/her discretion, to an employee in case of death of other relative(s) or friends, as appropriate, in order to attend funeral or burial services. The Township Administrator may extend bereavement leave if such extension is in the best interest of the employee and the Township. Each case will be considered on a case-by-case basis and shall not establish a precedent.

F. APPROVAL OF LEAVE

Leave shall not be taken unless approved by the department head. The leave of a department head must be approved by the Administrator.

G. POLICE DEPARTMENT

The Police Chief shall receive salary increases, longevity, perfect attendance payments, sick leave, holidays or holiday pay, physical exams and clothing allowances in accordance with the Police Salary Ordinance.

The Police Chief is an overtime exempt employee. The Police Secretary shall receive a clothing allowance of \$700.00 per year and the School Crossing guards shall receive a clothing allowance of \$275.00 per year. These expenses will be reimbursed by voucher and approved by the Chief of Police.

H. HEALTH BENEFITS

Full-time employees are eligible to enroll in the Township's health benefit programs. For purposes of determining eligibility, a full-time employee is defined as one who works a minimum of thirty hours a week.

Cranbury Township Ordinance # 03-07-04
(Continued)

Full-time employees who are at least 62 years of age and who have 15 total years of service with Cranbury Township, or have 25 years of total years of service with Cranbury Township will upon retirement from Cranbury Township be entitled to full medical and dental coverage paid for by the Township. If the retiree is married, the coverage will cover the cost of "employee and spouse".

SECTION II.

If any section, paragraph, sentence, clause or phrase in the Ordinance is for any reason held or determined to be unconstitutional or invalid, the same shall not affect the remainder of this Ordinance.

SECTION III.

All ordinances or parts of ordinances, inconsistent herewith are hereby repealed.

SECTION IV.

This ordinance shall take effect upon its passage and publication according to law.

Ordinances

First Reading

Cranbury Township Ordinance # 03-07-05

An Ordinance entitled, "Cranbury Township Ordinance # 03-07-05, A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,246,867 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$918,524 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF", was introduced for first reading. On motion by Ms. Stave, seconded by Mr. Stannard, the Ordinance was passed on first reading by vote:

Ayes: (Panconi
(Stannard
(Stave
(Wittman

Abstain: (None
Absent: (None

Nays: (None

Public Hearing: April 9, 2007

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 several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Cranbury, New Jersey as general improvements. For the several improvements or purposes described in Section 3, there are hereby

appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,246,867, including a \$280,000 Open Space Recreation Grant (the "Grant") and further including the aggregate sum of \$48,343 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Cranbury Township Ordinance # 03-07-05
(Continued)

Section 2. In order to finance the cost of the several improvements for purposes not covered by application of the several down payments and the Grant referenced in Section 1 hereof, negotiable bonds are hereby authorized to be issued in the principal amount of \$918,524 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.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Purpose	<u>Appropriation And Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) Various park and Recreation facility improvements, consisting of the redesign of Millstone Park, improvements of Wright South Property and the acquisition of a Village Park table and benches, including all work and materials necessary therefore and incidental thereto and further including all related costs and expenditures incidental thereto.	\$262,000 (includes \$260,000 of Open Space Recreation Grant)	\$1,900	15 years
b) The acquisition of equipment, Including defibrillators and pads, first aid equipment, international Yellow rain gear, a wood chipper and a 60HP rubber Tired tractor/loader, and further including All related costs and expenditures incidental thereto.	\$ 69,867	\$66,374	5 years

c) To furnish and equip the Cranbury Community Senior Center, including all work and materials necessary therefore and incidental thereto.	\$20,000	\$0	10 years
(includes the Open Space Recreation Grant)			

Cranbury Township Ordinance # 03-07-05
(Continued)

<u>Purpose</u>	<u>Appropriation And Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
d)Affordable housing – 3 rd round RCA Payment, including all related costs and expenditures incidental thereto.	\$735,000	\$698,250	8 years
d)Improvements to various Municipal roads and Phase 2 sidewalk evaluation, including all work and materials necessary therefore and incidental thereto.	<u>\$160,000</u>	<u>\$152,000</u>	10 years
TOTALS	<u>\$1,246,867</u>	<u>\$918,524</u>	

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 purposes described in Section 3 of this bond ordinance are not current expenses. improvements that the Township may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.

Cranbury Township Ordinance # 03-07-05
(Continued)

- (b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 8.12 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 \$918,524, and the obligations authorized herein will be within all debt limitations prescribed by that Law.
- (d) An aggregate amount not exceeding \$187,030 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or, if other than the Grant referenced in Section 1 hereof, 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 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.

Ordinance
Second Reading

Cranbury Township Ordinance # 03-07-03

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 03-07-03, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY IN MIDDLESEX COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TO ENTER INTO A LEASE AGREEMENT WITH THE CRANBURY LIONS CLUB FOR THE
Cranbury Township Ordinance # 03-07-03
(Continued)

USE OF BARNS LOCATED ON BARN PARK (CRANBURY NECK ROAD/BLOCK 21, LOT. 411), 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 Mr. Wittman, seconded by Mr. Panconi, the Ordinance was adopted by a vote:

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

Resolutions
Consent Agenda

On motion offered by Mr. Stannard, 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 03-07-068

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 03-07-069

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF EXTRA DUTY ESCROW

WHEREAS, the Vollers Excavating and Construction 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 Voller'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. Vollers Excavating & Construction, John Amato

Cranbury Township Resolution # R 03-07-069
(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 March 26, 2007.

Kathleen R Cunningham, Clerk

Cranbury Township Resolution # R 03-07-070

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR POLICE
EXTRA DUTY

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

Cranbury Township Resolution # R 03-07-070
(Continued)

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, THERFORE, 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 police extra duty checks from outside sources and expending payment to police officers for their service on extra duty projects.
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 March 26, 2007.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 03-07-072

WHEREAS, there are 773 motor vehicle fatalities in New Jersey in 2006; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a safety belt; and

WHEREAS, use of a safety belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

Cranbury Township Resolution # R 03-07-072
(Continued)

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* safety belt mobilization from May 21 – June 3, 2007 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Safety has set a goal of increasing the safety belt usage rate in the State from the current level of 90% to 92%; and

WHEREAS, a further increase in safety belt usage in New Jersey will save lives on our roadways;

THEREFORE, be it resolved that the Township Committee of the Township of Cranbury declares its support for the *Click It or Ticket* safety belt mobilization both locally and nationally from May 21 – June 3, 2007 and pledges to increase awareness of the mobilization and the benefits of safety belt use.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution which was adopted by the Township Committee of the Township of Cranbury at a regular meeting held on March 26, 2007.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 03-07-073

TOWNSHIP OF CRANBURY

COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDED DEVELOPER'S AGREEMENT
WITH ROCK-CRANBURY, LLC**

WHEREAS, Rock-Cranbury, LLC ("Developer") is the owner of property designated on the Cranbury Township Tax Maps as Block 4, Lots 1.01, 1.02 and 1.03; and

WHEREAS, by Resolution dated July 12, 2001, the Cranbury Township Planning Board ("Board") granted Preliminary Major Site Plan approval to Developer to construct 2,004,953 square feet of industrial/warehouse/office space, pursuant to which the Board allocated to Developer 22,400 gallons per day ("gpd") of capacity in the Township's sewer system; and

WHEREAS, on September 7, 2001, the Township and Developer entered into a Developer's Agreement ("2001 Agreement") confirming the sewer allocation and setting forth Developer's obligation to pay a

connection fee and make contributions to the Township's master sewer infrastructure improvements, based on Developer's allocated flow; and

WHEREAS, by Resolution adopted on April 3, 2003, the Board granted Amended Preliminary Site Plan Approval to Developer to modify and enlarge the square footage of two of the approved buildings, as a result of which the Planning Board increased the development's estimated/allocated flow from 22,400 gpd to 28,646 gpd; and

WHEREAS, the Township and Developer executed an Amendment to Developer's Agreement ("2003 Amended Agreement") on September 8, 2003 to reflect the increase in approved flow and recalculate the fair share contributions and connection fees Developer was required to pay; and

Cranbury Township Resolution # R 03-07-073
(Continued)

WHEREAS, on February 1, 2007, the Board granted Developer Amended Preliminary and Final Site Plan Approval with Bulk Variances and Design Waivers to make certain modifications to that portion of the development located on the parcels designated as Block 4, Lots 1.03 and 1.04, as a result of which Developer's actual flow through the system will be increased by 175 gpd, which is slightly higher than the amount allocated to Developer; and

WHEREAS, it is necessary to further amend the 2001 Agreement (as amended in 2003) to account for Developer's actual increase in flow over the allocated flow of 28,646 gpd; and

WHEREAS, the Township Attorney and Township Engineer have reviewed the amended developer's agreement provided by Rock-Cranbury LLC, a copy of which is on file in the Township Clerk's Office, and recommended that same be approved;

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the above-referenced amended Developer's Agreement is hereby approved; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute the above-referenced Agreement on behalf of the Township of Cranbury, or such substantially similar agreement that has been approved by the Township Attorney and the Township Engineer as to substance and form.

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 March 26, 2007.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 03-07-074

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement to Mandatory Source Separation and Recycling Act; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants (for calendar year 2006) will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Committee of the Township of Cranbury to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury that Cranbury Township hereby endorses the submission of the recycling tonnage grant application to the

Cranbury Township Resolution # R 03-07-074
(Continued)

New Jersey Department of Environmental Protection and designates Thomas Witt to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution, adopted by the Township Committee of the Township of Cranbury on March 26, 2007.

Kathleen R. Cunningham, Clerk

MOTION: Raffle Application for Cranbury Lions Club.

The Township Committee reviewed the Raffle Application submitted by The Cranbury Lions Club and on motion by Mr. Wittman, seconded by Mr. Panconi and unanimously adopted (with Messrs. Stout and Stannard abstaining) approved issuing said License.

Mr. Witt reported on a tax-freeze program for seniors who meet the criteria by the State of New Jersey. Mr. Frank Zeppeti, a retired C.P.A. who lives in The Four Seasons Development, has offered to help seniors fill out the form at no cost. Mr. Witt asked The Cranbury Press print an article letting seniors know that Mr. Zeppeti is offering his services. Mr. Witt suggested everyone contact him and he in turn will set up an appointment with Mr. Zeppeti. Ms. Waterbury, Township Attorney, reported back to the Township
Reports from Township staff and professionals(Continued)

Committee on the issue Mr. Robert Dillon brought to the Township Committee's attention (see minutes of March 12, 2007) regarding activities taking place by Mid-State Filigree on the former Silvi Concrete site. Ms. Waterbury indicated that Mr. Graydon, Zoning Officer, is handling the matter in her stead as her firm had represented Mid-State Filigree awhile ago and she would be conflicted to do so. Mid-State had assured Mr. Graydon the equipment will be off the site no later than May 21, 2007 and understands that if they do not, they will be fined. Mr. Dillon, Hightstown-Cranbury Road, had received a copy of the letter which was sent by Mr. Steven Goddell, Zoning Board Attorney to Mid-State. As background, Ms. Waterbury indicated Mid-State Filigree had manufactured the concrete used in the parking garage that had collapsed several years ago in Atlantic City at The Tropicana and was ordered by a Judge, as part of litigation regarding the collapse, to perform stress tests on the slabs of concrete at a site other than its own and went next door to the former Silvi Concrete facility. The tests have already been completed and are waiting for the experts to complete their inspection of the results of the test and will be off the site.

Mr. Stannard stated on Mr. Witt's earlier report regarding Mr. Zepetti, he wanted to make the record clear Mr. Zepetti had not volunteered to do both seniors taxes and the form—only assist in preparation of the form. Mr. Stannard also suggested sending a brief letter thanking Mr. Zepetti thanking him for his

efforts. Mr. Witt indicated Mr. Zepetti did indicate he would not be starting helping seniors until after April 17, 2006.

Reports from Township Boards and Commissions

There were no reports.

Work Session

a. Fees

The Township Committee reviewed and discussed current user fees charged. Mayor Stout indicated the objective was to make the Township's fees comparable to other towns to optimize the amount of revenue allowed by State Statute. The costs for certified copies of vital records (birth, marriage, domestic partnership, civil union and death) are presently \$4.00. Ms. Cunningham, Clerk/Registrar, reported she had taken a brief survey of costs charged by other

Work Session (Continued)

a. Fees(cont'd)

municipalities with similar population to Cranbury Township and presented some of the figures to the Township Committee. Ms. Cunningham stated since 911, there is prescribed numbered which is used and is costly? The Township Committee asked that Ms. Cunningham report back to them on the cost of the paper per page and were not in the business of making money. Ms. Waterbury indicated all fees should be in compliance with Administrative costs and urged the Township not to allow different departments to charge various fees. Mayor Stout asked if anyone on Committee wished to have any fee changed. After a brief discussion, the Township Committee directed the Clerk to increase liquor licenses for 2007 from \$2000 to \$2,400 with an increase to \$2,500 in 2008 which is presently the maximum increase allowed.

b. Discussion of D.C.A. Municipal Land Acquisition Program

Trishka Waterbury, Township Attorney, discussed with the Township Committee a State D.C.A.-funded Land Acquisition Program. Ms. Waterbury indicated the Program is a relatively new program to provide monies to municipalities for construction of affordable housing projects. It is intended to fund acquisition as well as the so-called soft costs associated therewith, including attorneys fees and closing costs. Ms. Waterbury stated, with the acquisition of Route 130-D the Program seems like a prime candidate for this Program and the Township probably would be able to re-coup a significant amount of the costs. She also reported rather than a grant, the Program is technically in the form of a low-interest loan and there are so many restrictions and regulations it could be a very long period of time before the Township would have to pay it back. Ms. Waterbury indicated the next step would be to pass a motion if interested and direct the staff to make the application and suggested the Township have Ms. Mary Beth Lonergan, Consultant for the Township on Affordable Housing, to work with the Township's Affordable Housing Manager and the Township Attorney. Ms. Waterbury also indicated the Township have the Township representatives meet with D.C.A. in Trenton along with herself and the Affordable Housing

Manager. Mayor Stout asked Ms. Stave and Mr. Wittman to attend as members of the C.O.A.H. subcommittee. Mayor Stout asked if there is was a deadline and Ms. Waterbury responded she did not believe so, however, the application should be submitted as soon as possible.

MOTION:

On motion by Mr. Stannard, seconded by Mr. Wittman and unanimously carried, the Township Committee authorized the Township Attorney, Ms. Lonergan, Consultant for the Township's C.O.A.H., Mr. Witt, Administrator and members of the C.O.A.H. subcommittee to pursue the grant under the Program and to commence the application process.

Mayor Stout asked if there is a deadline involved. Ms. Waterbury indicated sooner rather than later would be advantageous for the Township. Ms. Stave and Mr. Wittman as members of the C.O.A.H. subcommittee will also be involved.

c. Discussion of Status of Potato Barn

Mr. Wittman led the discussion, stating the Lions Club had been waiting for the lease to be signed for the carriage and corn crib barns and he and the Township Administrator had been discussing what could be done with the potato barn. After exhausting all efforts the Township should take the barn down and salvage whatever it can from the building. Mayor Stout indicated he is concerned about someone getting hurt at the site and the large drop to the foundation. Mr. Wittman asked if anything is going to be put on the site in the future. Ms. Waterbury, Township Attorney, cautioned the site may be under Green Acres restrictions and would research the issue.

Mr. Witt indicated the foundation is poured with a dirt floor and there are two options for the Township—the first being to dismantle the existing structure and pour concrete through the hole completely and the second option would be to dismantle the barn, leave the cement floor and put some kind of plate or covering over the top for future use if a basement should be needed. Mr. Witt also stated the cost should not be as high as it would be to recycle the concrete. Mr. Stannard asked it would be possible to use the concrete to fill the hole. Mr. Witt responded he

Work Session (Continued)

c. Discussion of Status of Potato Barn(cont'd)

did not believe that would be allowed, however he would research it. Ms. Stave stated she believed the barn represents a large safety liability to the Township and would like to see at the next meeting a Resolution to demolish the barn. Mr. Wittman agreed with Ms. Stave the need for the barn to be taken down. Mayor Stout asked the Township Attorney to research through Green Acres if the site could be used for other purposes and directed her to prepare a Resolution to demolish the barn by the next meeting.

Public Comment

Mr. Richard Kallan, Wynnewood Drive, questioned fees for vital statistics; specifically if the Township would charge for genealogy copies which are non-certified. Ms. Cunningham, Clerk/Registrar indicated the Township has never had a need to issue a copy for that particular use. Mr. Kallan requested the Township consider charging less for such copies. Ms. Cunningham responded should the Township Committee ever decide to raise its fees for certified copies, she would make sure that provision would be in the adopted ordinance(not to charge the same amount for genealogy copies).

Mayor's Notes

Mayor Stout reported, at the March 14th Parks Commission, Thomas Weidner was elected as its Chairman and Beth Veghte as the Co-Chair and the Commission would like to move the two Alternates, Christine Parker and Kathleen Wasson as permanent members, leaving the two alternate vacancies. Mayor Stout also appointed Christine Quinn of Maplewood Avenue to the Shade Tree Commission and reported the Cranbury Public Library Board of Trustees had held a meeting in February asking to increase their number of Trustees from seven to eight. Mayor Stout had asked Ms. Waterbury to research the issue. Ms. Waterbury reported they are allowed to have up to nine members according to

Mayor's Notes (Continued)

the State Statue. Mayor Stout appointed Ms. Kim Borden of Perrine Lane as a Trustee to the Library Board.

Resolution

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

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

Nays: (None

Cranbury Township Resolution # R 03-07-067

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

RESOLUTION TO CLOSE MEETING TO THE PUBLIC

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

The general nature of the subject to be discussed in this session is as follows:

- Personnel: Review and evaluation of candidates for Township Administrator;
- Land Acquisition/Contract Negotiations: Acquisition of "Route 130-D" property
Cranbury Township Resolution # R 03-07-067
(Continued)

for affordable housing purposes;
- Litigation: Discussion of Everhome Mortgage vs. Township of Cranbury.

It is unknown at this time precisely when the matters discussed in this session will be disclosed to the public. Matters involving contract negotiations or the acquisition of land will be disclosed upon conclusion of the negotiations or upon approval of the acquisition. Matters involving personnel will be disclosed when the need for confidentiality no longer exists. Matters concerning litigation will be announced upon the conclusion of trial or settlement of that litigation or when the need for confidentiality no longer exists.

Date: March 26, 2007

On motion by Ms. Stave, seconded by Mr. Wittman and unanimously carried, the meeting returned to Open Session.

On motion by Mr. Stannard, seconded by Ms. Stave and unanimously carried, the meeting adjourned at 8:55 p.m.

Kathleen R. Cunningham, Clerk