

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: Pari Stave, David Stout, Wayne Wittman and Mayor Thomas F. Panconi, Jr. Mr. Stannard was absent. Also present were: Trishka Waterbury, Esquire, Attorney, Cathleen Marcelli, Engineer, Thomas C. Witt, Administrator and Kathleen R. Cunningham, Clerk. Mayor Panconi 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 7, 2005 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 7, 2005.
- (3) Was filed on December 7, 2005 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 October 9, 2006

On motion by Ms. Stave, seconded by Mr. Wittman and unanimously carried, the Regular Committee Minutes of October 9, 2006 were adopted.

Closed Session Minutes of October 9, 2006

On motion by Ms. Stave, seconded by Mr. Stout and unanimously carried, the Closed Session Minutes of October 9, 2006 were adopted.

Reports and Communications

--Mayor

Mayor Panconi reported on October 14th he had attended the Open House held at Princeton High School with his family. Mayor Panconi commended the tour guides for a great job and the High School on the new addition.

--Members of Committee

Mr. Stout reported the Township Committee would need to discuss a grant application to the NCRS for the WHIP (Wildlife habitat Incentives Program). Mr. Stout indicated this grant provided funds for the planting of certain grasses to create better wildlife habitat on the West property (Cranbury Preserve). Mr. Stout stated the outlay is about \$2,500, of which the Township would have to pay \$500. Mr. Stout asked for the Township Committee's endorsement and a letter from the Mayor and added he had asked the Clerk to call the NCRS Office to facilitate submitting the application and meeting the deadline. The Township Committee unanimously endorsed the grant application. Mr. Stout also reported the Township had received a letter from the Attorney representing Cranbury Brick Yard LLC & Viridian asking to meet with the subcommittee regarding the former Unexcelled site. Mr. Stout indicated at this time it was the Unexcelled subcommittee's preference to first have a meeting with the D.E.P. to get a better understanding of the issue and asked that a letter be sent to the Attorney. Mayor Panconi will send out a letter this week.

Agenda Additions/Changes

The Clerk announced Counsel had informed her earlier; the Closed Session Resolution was no longer necessary and should be removed from the Agenda. Mr. Wittman indicated he wished to have a

Resolution from the Consent Agenda pulled for lack of adequate background information: Cranbury Township Resolution # R 10-06-137. Mayor Panconi announced the Township would be having a guest this evening, Middlesex County Freeholder Jim Polos.

Ordinances

Second Reading

Cranbury Township Ordinance # 10-06-24

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 10-06-24, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, CONCERNING THE WAIVER OF CONSTRUCTION FEES AND CONNECTION FEES AND AMENDING CHAPTERS 72 AND 124 OF THE CODE OF THE TOWNSHIP OF CRANBURY", 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. Stout, the Ordinance was adopted by a vote:

Ayes: (Panconi
(Stave
(Stout
(Wittman

Abstain: (None
Absent: (Stannard

Nays: (None

Resolutions

Consent Agenda

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

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

Abstain: (None
Absent: (None

Nays: (None

Cranbury Township Resolution # R 10-06-129

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 10-06-130

WHEREAS, the Tax Collector has determined, there was a double payment of taxes for the 3rd quarter 2006 property taxes on the following parcel that is being sold;

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

Cranbury Township Resolution # 10-06-130 (Continued)

Block	Lot	Assessed to	Amount
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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 October 23, 2006.

Kathleen R. Cunningham, Clerk

CRANBURY TOWNSHIP RESOLUTION # R 10-06-131

WHEREAS, the Township Committee has determined, assessed interest on the following parcel be waived;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury that the following 2006 assessed interest on the following parcel be waived:

Block	Lot	Amount
23	108.04	\$ 28.83

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 October 23, 2006.

Kathleen R. Cunningham, Clerk

CRANBURY TOWNSHIP RESOLUTION 10-06-132

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 2006 in the sum of \$50,000.00 which item is now available as a revenue from the State of New Jersey pursuant to the provision of statute, and

Section 2

Cranbury Township Resolution # R 10-06-132
(Continued)

BE IT FURTHER RESOLVED that a like sum of \$50,000.00 be and the same is hereby appropriated under the caption GREEN ACRES TRUST GRANT.

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

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, NJ, hereby certify that the above is a true of a Resolution adopted by the Township Committee of the Township of Cranbury at a regular meeting held on October 23, 2006.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 10-06-133

A RESOLUTION AUTHORIZING THE RELEASE OF ENGINEERING ESCROW

WHEREAS, the Hot Wok Cafe has outstanding credits in their Engineering escrow accounts previously posted with the Township.

WHEREAS, the Township Engineer and the Township Planner have 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 Hot Wok's engineering escrow accounts.

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

- (a) Township Engineer
- (b) Township Chief Financial Officer
- (c) Sara Wang, Hot Wok Cafe
- (d) Township Attorney

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 October 23, 2006.

Kathleen R Cunningham, Clerk

Cranbury Township Resolution No. 10-06-134

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR THE HOT WOK CAFE

Cranbury Township Resolution # R 10-06-134
(Continued)

WHEREAS, by letter dated September 29, 2006, The Hot Wok Cafe 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 October 4, 2006 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Cash	\$ 7,089.60
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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) Sara Wang, Hot Wok Cafe
(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 October 23, 2006.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # 10-06-135

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE REDUCTION OF A PERFORMANCE GUARANTEE FOR
KERZNER BL 2.01 LOT 2.02 PRIVATE

WHEREAS, by letter dated August 25, 2006, Kerzner Associates has requested the reduction 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 September 26, 2006 (attached hereto as "Exhibit A") recommended that the performance guarantee be reduced and the amount that shall be released is as follows :

Performance Bond	\$ 384,342.84
Cash Deposit	\$ 42,704.76

Cranbury Township Resolution # 10-06-135
(Continued)

WHEREAS, the amount that shall be retained until all bonded items are complete as follows:

Performance Bond	\$ 164,718.36
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Cash Deposit \$ 18,302.04

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 reduction 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. Sandy Kerzner
- 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 October 23, 2006.

Kathleen R. Cunningham Clerk

Cranbury Township Resolution # 10-06-136

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE REDUCTION OF A PERFORMANCE GUARANTEE FOR KERZNER BL 2.01 LOT 2.01 PRIVATE

WHEREAS, by letter dated August 25, 2006, Kerzner Associates has requested the reduction 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 September 26, 2006 (attached hereto as "Exhibit A") recommended that the performance guarantee be reduced and the amount that shall be released is as follows :

Performance Bond	\$ 556,387.96
Cash Deposit	\$ 61,820.88

WHEREAS, the amount that shall be retained until all bonded items are complete as follows:

Performance Bond	\$ 238,452.30
Cash Deposit	\$ 26,494.70

Cranbury Township Resolution # 10-06-136
(Continued)

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 reduction 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. Sandy Kerzner
- 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 October 23, 2006.

Kathleen R. Cunningham Clerk

Cranbury Township Resolution # R 10-06-138

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

A Resolution Adopting Street Addresses

WHEREAS, the Tax Collector has determined there is a need for the following street address to be established:

<u>BLOCK</u>	<u>LOT</u>	<u>CURRENT ADDRESS</u>	<u>NEW ADDRESS</u>
22	15.01	33 Ancil Davison Road	31-33 Ancil Davison Road

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the above street address be established.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, hereby certify that this is a true copy of a Resolution, adopted by the Township Committee on October 23, 2006.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 10-06-140

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

A Resolution Changing both mailing and property addresses

WHEREAS, the Tax Collector has determined there is a need for the following mailing addresses to be changed; and

<u>BLOCK</u>	<u>LOT</u>	<u>CURRENT ADDRESS</u>	<u>NEW ADDRESS</u>
14	4.01	10 Wyckoff Mills Rd.	-Hightstown 3 Wyckoff Mills Road- Cranbury
14	4.01QF	" " "	" " " " "
14	4.02	" " "	" " " " "
14	4.02QF	" " "	" " " " "
14.01	2	" " "	" " " " "

WHEREAS, the Tax Collector has determined there is a need for the following property addresses to be changed;

<u>BLOCK</u>	<u>LOT</u>	<u>OLD PROPERTY ADDRESS</u>	<u>NEW PROPERTY ADDRESS</u>
14	4.01	10 Wyckoff Mills Road	3 Wyckoff Mills Road
14	4.01QF	Wyckoff Mills Road	3 Wyckoff Mills Road
14	4.02	95 Wyckoff Mills Road	1 Wyckoff Mills Road
14	4.02QF	95 Wyckoff Mills Road	1 Wyckoff Mills Road
14.01	2	Wyckoff Mills Road	3 Wyckoff Mills Road

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the above mailing and property addresses be changed.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, hereby certify that this is a true copy of a Resolution, adopted by the Township Committee on October 23, 2006.

Kathleen R. Cunningham, Clerk

Reports from Township staff and professionals

Ms. Waterbury, Township Attorney, reported she had received notice from the Third Circuit Court of Appeals regarding Cranbury Brook Farms (Poling) vs. Township of Cranbury indicating the case would be discussed on Wednesday, October 25, 2006. She explained she was not sure if the Court was going to render a decision on October 25th or just hear the case. Ms. Waterbury indicated as soon as she has more information she will let the Township Committee know.

Mr. Witt, Township Administrator, reported the Township Committee had received a letter from Mr. Robert Smithers, Petty Road, concerning an accident on Old Trenton Road recently and had alerted both the Township Engineer and Traffic Consultant, asking them to please review the issue and announced other traffic and safety issues would be discussed at the Township Committee meeting on November 13th. Mr. Witt also reported the Township had received a letter from The Cranbury School in reference to the issue with the radius for school buses on Shady Brook Lane. Mr. Witt stated he had already met with Carol Malouf, Cranbury School Administrator, to work out a solution and indicated this issue would also be discussed at the meeting on November 13th by the Township Engineer and Traffic Consultant. Mr. Stout stated, as a member of the Traffic subcommittee, Mr. Smithers' letter was appreciated. Mr. Stout pointed out, in reference to the speed limit on Old Trenton Road, the road is a County Road and the Reports from Township staff and professionals (Continued)

Township for many years had tried unsuccessfully to have the speed limit reduced. Mr. Stout also stated the subcommittee would be reviewing Mr. Smithers' suggestion concerning fencing as well as other safety issues and would be reporting on these issues during the Work Session discussion at the November 13th meeting.

Mayor Panconi announced Freeholder Polos had arrived and stated the Freeholder would be saying a few words concerning a \$480,000 grant Middlesex County would be giving to the Township for various senior services and recreational purposes throughout the Township.

Freeholder Polos spoke, stating the County had created a few years ago, the Open Space Preservation Fund. Freeholder Polos explained the initial Referendum Resolution had been voted on and passed by the voters within the County to allow for preservation of open space. He further explained, a few years ago an amendment was voted on and passed to allow some of those funds to be used for recreational purposes within the County. Freeholder Polos stated the County was providing the Township with \$480,000 to help with its recreational initiatives and its senior citizen program and complimented the Mayor and Township Committee for their stewardship.

Freeholder Polos also stated there would now be a full-time Shared Services Coordinator hired by the County to work with communities and school and fire districts which receive or provide shared services. Freeholder Polos complimented the Township on using shared services and stated he looked forward to working with the Township in the future.

Reports from Township Boards and Commissions

There were no reports.

Work Session

a. Monthly Update on Revaluation by Steve Benner, Tax Assessor (Steve Benner).

Steve Benner, Tax Assessor, gave his monthly update on the Township's Revaluation. Mr. Benner stated the Revaluation is on schedule. Mr. Benner reported there are yet some homes which have not been done and the appraisal firm is preparing a list for Mr. Benner. Mr. Benner reported on the 11th of October he had met with Mr. Glen Sherman, the Project Supervisor, to go over the "nuts and bolts" of how they are putting the Revaluation together. Mr. Sherman indicated they had done modeling on sales and projected assessments against that information. Mr. Benner reported he was now able to access the appraisal firm's records. Mr. Benner added he would be meeting again with them in mid-November. Mr. Benner also stated there would be interaction with the public in mid-November. Mr. Robert Smithers, Petty Road, asked how residents would be able to find out what their re-assessment was. Mr. Benner responded the homeowners would be notified via letter what their assessment would be and the letter would give the proper procedures to set up an appointment to come in and review how the assessment figures were determined. Mr. Smithers then asked when taxpayers would get an idea of how much they will owe in taxes. Mr. Benner responded to compute approximately the figure, one should take the overall budget figures and divide it into the potential ratable base, giving one the potential tax amount. Mr. Benner stressed residents should not use the existing tax rate to compute their new tax rate. Ms. Stave asked Mr. Benner to explain the appeal process for a resident who wishes to appeal their assessment. Mr. Benner stated after the informal hearing then the assessments will be certified in January and once the announcements are set for the assessments, the property owner will have 45 days or until January 1st to file their appeal with the County Board of Taxation. The property owner will then receive a notice from the County Board of Taxation to go to a hearing. The property owner will then go to the hearing, giving them information based on sales, not their neighbor's assessment. If the property owner is not happy with the

Work Session (Continued)

a. Monthly Update on Revaluation by Steve Benner, Tax Assessor (Steve Benner) (cont'd).

assessment the County Board of Taxation's decision, then they may appeal to the State of New Jersey. Mr. Benner also urged residents to not feel shy about contacting the appraisal company for a review of their assessment and if a resident has a problem with the appraisal company they should call Mr. Benner's office.

b. Discussion of Keep Middlesex Moving, Inc., Municipal Transportation Demand Management Grant (T.D.M.). (Tom Witt)(continued).

Tom Witt, Administrator, explained the Township had applied for a grant under Keep Middlesex Moving T.D.M. (Transportation Demand Management) for up to \$5,000 and it had been submitted on October 18th. The grant application addresses improvements to the sewer utility easement between 14-16 Wynnewood Drive in the Wynnewood Development to create a safer pedestrian/bicycle pathway which would lead into the center of the Village area. Mr. Witt explained further, if the grant is awarded, the Township plans to remove the existing curb, put in a depressed curb, handicapped sidewalk (5 feet wide) and repair the area around the pump station which has some grading issues. Mr. Witt added, the \$5,000 would cover all of the materials and labor to have the project done. Mr. Wittman asked if any outreach would be necessary to the residents in the development. Mr. Witt indicated he would be happy to send out a letter and then indicated he would stop out and see the residents this week to let them know.

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

The Mayor reminded everyone to turn their clocks back this weekend.

On motion by Ms. Stave, seconded by Mr. Stout and unanimously carried, the meeting adjourned at 7:50 p.m.

Kathleen R. Cunningham, Clerk