

TOWNSHIP COMMITTEE MEETING
JANUARY 24, 2005

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 were: Township Committee members: Thomas Panconi, Jr., Richard Stannard, David J. Stout, Pari Stave and Mayor Beauregard. Also present were: Trishka Waterbury, Esquire, Attorney, Cathleen Marcelli, Engineer, Frederick C. Carr, Administrator and Kathleen R. Cunningham, Clerk. Mayor Beauregard 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 6, 2004 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 6, 2004.
- (3) Was filed on December 6, 2004 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.

Mayor Beauregard conveyed "special thanks" to the Township's Police Department, and Tom Witt, Director of Public Works and his staff for a "terrific job" with the snow storm. Mayor Beauregard indicated she had received remarks-- "How nice the Police Officers and the Public Works Staff were and how well they removed the snow".

Reports and Communications from Committee

- Committee Minutes January 3 and January 14, 2005.
On motion by Ms. Stave, seconded by Mr. Panconi and unanimously carried, the minutes for January 3rd and 14, 2005 were adopted.

Agenda Additions/Changes

- a. The Clerk announced Consent Agenda Resolutions #'s R 01-05-024, R 01-05-025 and R 01-05-031 were being removed and R 01-05-032 and R 01-05-033 were being added. Under the Work Session, item # 3-- Signage for Township Parks was being removed. Also, added to the Closed Session was a discussion on Zoning Board Appointees.

Mr. Harvey Moskowitz, former Planner of the Township, introduced Mr. Richard Preiss, the new Township Planner to the Township Committee and thanked the Township.

Mr. Richard Preiss, Township Planner, thanked the Selection Committee for choosing him and indicated he was looking forward to working with the Township.

Ordinance
First Reading

Cranbury Township Ordinance # 01-05-01

An Ordinance entitled, Cranbury Township Ordinance # 01-05-01, "AN ORDINANCE OF THE TOWNSHIP OF CRANBURY IN MIDDLESEX COUNTY, NEW JERSEY CONCERNING Cranbury Township Ordinance # 01-05-01 (Continued)

AFFORDABLE HOUSING DEVELOPMENT FEES AND AMENDING CHAPTER 76 OF THE CODE OF THE TOWNSHIP OF CRANBURY", was introduced for first reading. On motion by Ms. Stave, seconded by Mr. Panconi, the Ordinance was passed on first reading by vote:

Ayes:	(Beauregard (Panconi (Stannard (Stave (Stout	Absent: (None Abstain: (None
Nays:	None	

Public Hearing: February 7, 2005

WHEREAS, sections 5:94-6.6 and 6.7 of the New Jersey Administrative Code allow municipalities to charge a development fee of up to one percent of equalized assessed value for residential development and up to two percent of equalized value for non-residential development, said fees to be deposited in a separate, interest-bearing housing trust fund and used to satisfy the Township of Cranbury's obligation to provide its fair share of the regional need for low and moderate income housing; and

WHEREAS, the Township had previously adopted an ordinance pursuant to N.J.A.C. 5:92-18 *et seq.* creating an affordable housing trust fund and establishing an affordable housing development fee schedule, which ordinance was codified as Chapter 76, Article II of the "Code of the Township of Cranbury" ("Code"); and

WHEREAS, said ordinance was duly approved by the Council on Affordable Housing; and

WHEREAS, pursuant to said ordinance, the Township currently charges a development fee of one half of one percent of equalized assessed value for residential development and one percent of equalized assessed value for non-residential development; and

WHEREAS, the Township wishes to increase the percentage that it charges for residential and non-residential development to the maximum now permitted pursuant to N.J.A.C. 5:94-6.6 and 6.7;

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

1. The preamble to this Ordinance is incorporated and made a part hereof as if set forth at length herein.

2. Chapter 76, Article II of the "Code of the Township of Cranbury" ("Code") shall be amended by increasing the development set forth in Paragraph A.(1) of Section 76-24 from one half of one percent of equalized assessed value to one percent of equalized assessed value, to read as follows (deletions are in [brackets] and additions are underlined):

§ 76-24. Development Fee Schedule.

A. Residential Development.

Cranbury Township Ordinance # 01-05-01

(Continued)

- (1) Residential development fees shall be a maximum of [1/2 of] 1% of the equalized assessed value for residential development, provided no increased density is permitted.

3. Chapter 76, Article II of the Code shall be further amended by increasing the development set forth in Paragraph B.(1) of Section 76-24 from one percent of equalized assessed value to two percent of equalized assessed value, to read as follows (deletions are in [brackets] and additions are underlined):

§ 76-24. Development Fee Schedule.

B. Nonresidential Development.

- (1) Nonresidential development fees shall be a maximum of [1%] 2% of the equalized assessed value for nonresidential development.

4. Pursuant to N.J.A.C. 5:94-6.14, no other changes to Chapter 76, Article II of the Code shall be made without the prior approval of the Council on Affordable Housing.

5. Pursuant to N.J.A.C. 5:94-6.14(c), the Township hereby commits to petitioning for third round substantive certification in accordance with N.J.A.C. 5:95 within one year of the effective date of N.J.A.C. 5:94 and 5:95, and any failure on the part of the Township to file said petition shall automatically render this ordinance null and void and shall invalidate the changes to the Code set forth hereinabove.

6. A copy of this ordinance and existing Chapter 76, Article II of the Code shall be sent to the Council on Affordable Housing within seven (7) days of the date of adoption hereof.

7. This ordinance shall take effect upon its passage and publication, as required by law.

Ordinance

First Reading

Cranbury Township Ordinance # 01-05-02

An Ordinance entitled, "Cranbury Township Ordinance # 01-05-02, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY IN MIDDLESEX COUNTY, NEW JERSEY, REGARDING THE ACQUISITION OF BLOCK 19, LOTS 11 AND 12 ("FISCHER ACRES"), CONFIRMING THE AMOUNT OF JUST COMPENSATION TO BE PAID THEREFOR AND AUTHORIZING THE PAYMENT THEREOF", was introduced for first reading. On motion by Ms. Stave, seconded by Mr. Panconi, the Ordinance was passed on first reading by vote:

Ayes:	(Beauregard (Panconi (Stannard (Stave (Stout	Absent: (None
		Abstain: (None
Nays:	None	

Cranbury Township Ordinance # 01-05-02

(Continued)

Public Hearing: February 7, 2005

WHEREAS, on February 24, 2003, the Township Committee of the Township of Cranbury adopted Ordinance 02-03-01, which authorized the acquisition for public use, by voluntary conveyance or condemnation, of a fee simple interest in property known as "Fischer Acres" and designated on the Cranbury Township Tax Map as Block 19, Lots 11 and 12 ("subject property"); and

WHEREAS, pursuant to said Ordinance, the Township in August 2003 obtained initial appraisals of the subject property from Martin Appraisal Associates, Inc. and from Sockler Mignogna DiLello Realty Group Inc., which appraisals were approved by Resolution # R-10-03-203; and

WHEREAS, Resolution # R-10-03-203 also authorized the Township to make an offer of \$1.9 million to the record owner of the property and to initiate *bona fide* negotiations pursuant to the Eminent Domain Act, N.J.S.A. 20:3-1 *et seq.*, which negotiations were unsuccessful; and

WHEREAS, pursuant to Ordinance 01-04-01, the Township filed an Order to Show Cause, Verified Complaint, and Declaration of Taking in the Superior Court of New Jersey on March 2, 2004 in the matter captioned Township of Cranbury v. Fischer Acres Associates, et al., Docket No. MID-L-1571-04, and placed on deposit with the Superior Court of New Jersey's Trust Fund Unit the sum of \$1.9 million, as required by the Eminent Domain Act, N.J.S.A. 20:3-1 *et seq.*; and

WHEREAS, the record owner of the property, Fischer Acres Associates ("Fischer" or "Fischer Acres") challenged the Township's authority to condemn the subject property; and

WHEREAS, in September 2004 the Township and Fischer Acres successfully negotiated a resolution to the litigation and tentatively agreed that the final amount of just compensation to be paid for the Township's acquisition of the subject property would be \$3,050,000, provided revised appraisals confirmed such to be the current fair market value of the property; and

WHEREAS, said agreement was memorialized in a Consent Order of Settlement & Dismissal entered by the Honorable James P. Hurley, J.S.C. on November 12, 2004; and

WHEREAS, Martin Appraisal Associates prepared a new appraisal dated November 4, 2004 that valued the subject property at \$3,120,000 as of September 24, 2004; and

WHEREAS, Sockler Mignogna DeLillo Realty Group prepared a new appraisal dated November 22, 2004 that valued the subject property at \$3,250,000 as of September 24, 2004; and

WHEREAS, pursuant to the provisions of the Eminent Domain Act and Judge Hurley's November 12, 2004 Order, Fischer Acres withdrew the \$1.9 million on deposit with the Trust Fund Unit; and

WHEREAS, pursuant to Judge Hurley's November 12, 2004 Order, the Township is required to pay to Fischer Acres the balance of the agreed-upon amount of just compensation, \$1,150,000, no later than March 1, 2005.

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

1. The appraisal prepared by Marin Appraisal Associates, Inc. on November 4, 2004, which valued the subject property as of September 24, 2004 at \$3,120,000, and the appraisal prepared by Sockler Mignogna DeLillo Realty Group Inc. on November 22, 2004, which

Cranbury Township Ordinance 01-05-02
(Continued)

valued the subject property as of September 24, 2004 at \$3,250,000, are hereby accepted and approved.

2. The total amount of just compensation to be paid to Fischer Acres Associates for the Township's acquisition by eminent domain of the subject property is hereby confirmed to be three million, fifty thousand dollars (\$3,050,000).

3. No later than March 1, 2005, the Township through its appropriate officers, employees and legal representatives shall pay to Fischer Acres the sum of one million, one hundred and fifty thousand dollars (\$1,150,000), which represents the difference between the agreed-upon amount of just compensation and the amount previously withdrawn from Trust Fund Unit of the Superior Court of New Jersey by Fischer Acres.

4. The Mayor, Clerk, Attorney, and other appropriate officers and employees of the Township are hereby authorized and directed to undertake any and all such acts and execute any and all such documents as may be necessary to effectuate the purposes hereof.

5. This ordinance shall take effect upon passage and publication, as required by law.

Ordinance
First Reading

Cranbury Township Ordinance # 01-05-03

An Ordinance entitled, "Cranbury Township Ordinance # 01-05-03, A BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$1,150,000 FOR ACQUISITION OF PROPERTY FOR USE AS OPEN SPACE IN AND BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$1,095,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION", was introduced for first reading. On motion by Ms. Stave, seconded by Mr. Stannard, the Ordinance was passed on first reading by vote:

Ayes:	(Beauregard (Panconi (Stannard (Stave (Stout	Absent: (None
		Abstain: (None
Nays:	None	

Public Hearing: February 7, 2005

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

Section 1. The improvement described in Section 3 of this bond ordinance has heretofore been authorized to be undertaken by the Township of Cranbury, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the supplemental amount of \$1,150,000, such sum being in addition to the \$2,280,000 appropriated therefor by bond ordinance #01-04-03 of the Township finally adopted

Cranbury Township Ordinance # 01-05-03
(Continued)

Section 2. January 26, 2004, and including the sum of \$55,000 as the additional down payment required by the Local Bond Law. The additional down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 3. In order to finance the additional cost of the improvement or purpose not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,095,000 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 improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of property known as Fischer Acres for use as Open Space as further described in bond ordinance #01-04-03 of the Township finally adopted January 26, 2004.

Section 4. (b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$3,261,000, including the \$2,166,000 bonds or notes authorized by bond ordinance #01-04-03 of the Township finally adopted January 26, 2004 and the \$1,095,000 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$3,430,000, including the \$2,280,000 appropriated by bond ordinance #01-04-03 of the Township finally adopted January 26, 2004 and the \$1,150,000 appropriated herein.

Section 5. 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 6. The capital budget of the Township of Cranbury is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 7. The following additional matters are hereby determined, declared, recited and stated:

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

Cranbury Township Ordinance 01-05-03
(Continued)

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 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 \$1,095,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$495,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$380,000 was estimated for these items of expense in bond ordinance #01-04-03 of the Township finally adopted January 26, 2004, and an additional \$115,000 is estimated therefor herein.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. 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 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Resolutions

Consent Agenda

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

Ayes:	(Beauregard (Panconi (Stannard (Stave (Stout	Absent: (None Abstain: (None
Nays:	None	

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 01-05-020

WHEREAS, there exists a need to extend the award deadline from 01-09-05 to 01-09-06 for the consolidated allocations from the Fiscal Year 2003 Transportation Fund Act Municipal Aid Program, Liberty Way Extension and the Fiscal Year 2004 Transportation Fund Act Municipal Aid Program, Liberty Way Construction to ensure that the allotment remains available for the Liberty Way Extension Project, and

WHEREAS, the combined available allotment amount for the Liberty Way Extension and Liberty Way Construction is \$500,000.00, and

WHEREAS, the New Jersey Department of Transportation has requested that the Township Committee of the Township of Cranbury adopt a Resolution requesting said extension of time from January 9, 2005 to January 9, 2006,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, that the Clerk be directed to send a certified copy of this Resolution to the New Jersey Department of Transportation upon its adoption.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, hereby certify that this is a true copy of a Resolution which was adopted by the Township Committee on January 24, 2005.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 01-05-021

TOWNSHIP OF CRANBURY

RESOLUTION AWARDING AGREEMENT FOR PROFESSIONAL PLANNING SERVICES

WHEREAS, the Township seeks to procure the services of a professional planner to prepare a Housing Element in accordance with the New Jersey Council on Affordable Housing's (COAH) Third Round Rules, N.J.A.C. 5:94-1 *et seq.*; and

WHEREAS, the firm of Clark, Caton & Hintz, P.C. has submitted a proposal to provide the sought-after professional planning services to the Township for the not-to-exceed contract amount of \$29,300.00, which sum includes the fee for services and reimbursable expenses; and

WHEREAS, the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, it allows the Township Committee to award a professional services agreement exceeding the bid threshold without competitive bidding and requires that a Resolution authorizing the award of a professional services agreement be publicly advertised.

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

Cranbury Township Resolution # R 01-05-021
(Continued)

1. The Mayor and Clerk are authorized and directed to execute an agreement with Clark, Caton & Hintz, P.C., located in Trenton, New Jersey, for the provision of professional

planning services necessary for preparing a Housing Element for the Township of Cranbury in accordance with COAH's Third Round Rules.

2. The firm of Clark, Caton & Hintz, P.C. shall be paid a fee not to exceed \$29,300.00 for the professional planning services, which sum includes \$27,500.00 for services and \$1,800.00 for reimbursable expenses.
3. A copy of this Resolution and the Agreement shall be placed on file in the Office of the Township Clerk, and shall be available for public inspection.
4. A notice of this action shall be published in the official newspaper as required by law.

CERTIFICATION

I, Kathleen R. Cunningham, 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 3, 2005.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 01-05-022

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL GOVERNMENT SERVICES AGREEMENT WITH THE BOROUGH OF HIGHTSTOWN FOR THE CONTINUED PROVISION OF EMERGENCY 9-1-1 DISPATCHING SERVICES

WHEREAS, in prior years, the Township of Cranbury and the Borough of Hightstown have executed an interlocal government services agreement for the Borough's provision of Emergency 9-1-1 Police Dispatching Services on behalf of the Township; and

WHEREAS, the Borough has offered to continue to provide these services to the Township during 2005 for a total fee of \$98,450.00; and

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq. authorizes the approval of an interlocal government services agreement by resolutions of both the Township and the Borough; and

WHEREAS, the Temporary Chief Financial Officer has certified that there are sufficient funds for this purpose;

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

1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with the Borough of Hightstown for the provision of Emergency 9-1-1 Police Dispatching Services for the period January 1, 2005 through December 31, 2005, for the sum of \$98,450.00.

Cranbury Township Resolution # R 01-05-022
(Continued)

2. A copy of the agreement shall be available for public inspection in the Township Clerk's office during regular business hours.

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 24, 2005.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 01-05-023

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 01-05-023

A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT
FOR LEGAL SERVICES TO Jeffrey C. Green, Esquire, AND GREEN AND GREEN, ATTORNEYS-AT-LAW

WHEREAS, there is a need for legal services for the Township of Cranbury Zoning Board of Adjustment on an ongoing basis; and

WHEREAS, Jeffrey C. Green, Esquire has submitted a proposed contract for providing these services at rates noted in the attached document, and

WHEREAS, funds are available for this purpose, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et. seq.) requires that the Resolution authorizing the award of the contracts for professional services without competitive bids must be publicly advertised if in excess of the bid limit;

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

1. Mayor and Clerk of the Township of Cranbury are hereby authorized and directed to execute the attached Agreement with Jeffrey C. Green, Esquire, for professional legal services for the year 2005, as set forth in said Contract, which is available for inspection at the Office of the Township Clerk.
2. This Contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contract Law, inasmuch as said Agreement is for services to be performed by persons authorized by law to practice a recognized profession which is not susceptible to competitive bidding and is of a qualitative nature.
3. A notice regarding the award of the Contract shall be published in the Cranbury Press within ten (10) days after passage of same if the Contract will exceed the bid limit.

Cranbury Township Resolution # R 01-05-023
(Continued)

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, hereby certify that the above is a true copy of a Resolution, adopted by the Township Committee of the Township of Cranbury on January 24, 2005.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 01-05-026

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 addresses to be established:

<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS</u>
8	1.01 (Bldg.1)	324 Half Acre Road
8	1.03 (Bldg.3)	322 Half Acre Road
8	1.04 (Bldg.4)	320 Half Acre Road

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the above street addresses 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 January 24, 2005.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 01-05-027

CRANBURY TOWNSHIP RESOLUTION # R 01-05-027

WHEREAS, the Tax Collector has received a payment for the redemption of the following tax lien and has requested that this lien be redeemed and paid to the lien holder:

<u>Block</u>	<u>Lot</u>	<u>TTL#</u>	<u>Assessed to</u>	<u>Redemption Amount</u>	<u>Premium Amt.</u>
23	155	215	John Mesko	\$ 9,174.03	\$1,100.00

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, that the above tax lien be redeemed and paid to the lien holder, John Mesko.

CERTIFICATION

I, Kathleen R. Cunningham, certify that the above is a true copy of a Resolution adopted by the Cranbury Township Committee at a regular meeting on January 24, 2005.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 01-05-028

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

WHEREAS, on January 1, 2005, a vacancy was created in the office of chief financial officer of the Township of Cranbury; and

WHEREAS, N.J.S.A. 40A:9-140.13.f authorizes the governing body of a municipality to appoint , for a period not to exceed one year and commencing on the date of the vacancy, a person who does not hold a municipal financial officer certificate to serve as a temporary chief financial officer;

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

1. Frederick C. Carr, the Township Administrator, is hereby appointed to serve as the Temporary Chief Financial Officer for the Township of Cranbury for a period not to exceed one year, beginning on January 1, 2005 and ending on December 31, 2005, or until such time as his services as Temporary Chief Financial Officer are no longer required, whichever period is shorter.
2. Denise Marabello shall continue to assume and perform all of the duties and responsibility of the prior Chief Financial Officer of the Township of Cranbury, as set forth in Resolution # R-01-05-013, passed by the Township Committee of the Township of Cranbury on January 3, 2005, except that Mr. Carr shall sign any and all such documents and other instruments as require the signature of a chief financial officer.
3. Denise Marabello shall also continue to serve as Treasurer for the Township of Cranbury for a period not to exceed one year, beginning on January 1, 2005 and ending on December 31, 2005, or until such time as her services as Treasurer are no longer required, whichever is shorter.
4. Any and all documents signed by Mr. Carr as Acting Chief Financial Officer or Temporary Chief Financial Officer between January 1, 2005 and the date on which this Resolution was passed are hereby ratified in full.

CERTIFICATION

I, Kathleen R. Cunningham, do hereby certify that the foregoing resolution is a true copy of a Resolution passed by the Township Committee of the Township of Cranbury at a meeting duly held on January 24, 2005.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 01-05-029

WHEREAS, NJSA 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2005 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January, 2005 and

Cranbury Township Resolution # R 01-05-029
(Continued)

WHEREAS, THE TOTAL APPROPRIATIONS IN THE 2004 Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2004 budget is the sum of \$6,011,415.68

WHEREAS, 26.25% of the total appropriations in the 2004 Budget exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2004 budget is the sum of \$1,577,996.62.

NOW, THEREFORE, BE IT RESOLVED that to constitute the 2005 Temporary Budget the following appropriations be made:

20-100-011	Administrative & Executive – S&W	\$	52,000.00
20-100-025	Administrative & Executive – S&W	\$	12,000.00
20-110-011	Mayor & Council – S&W	\$	8,000.00
20-130-011	Finance Administration – S&W	\$	48,000.00
20-130-025	Finance Administration – OE	\$	25,000.00
20-135-025	Audit – OE	\$	15,000.00
20-145-011	Tax Collection – S&W	\$	14,000.00
20-145-025	Tax Collection – OE	\$	2,500.00
20-150-011	Tax Assessment – S&W	\$	17,000.00
20-150-025	Tax Assessment – OE	\$	2,000.00
20-151-025	Tax Map – OE	\$	5,000.00
20-155-025	Legal –OE	\$	15,000.00
20-165-025	Engineering -OE	\$	15,000.00
21-180-011	Planning – S&W	\$	10,000.00
21-180-011	Planning – OE	\$	10,000.00
21-185-011	Zoning -S&W	\$	5,000.00
21-185-025	Zoning –OE	\$	10,000.00
21-190-025	Affordable Housing – OE	\$	2,000.00
22-205-011	HPAC-S&W	\$	2,800.00
22-205-025	HPAC –OE	\$	2,000.00
23-210-652	Other Insurance-OE	\$	75,000.00
23-215-651	Worker's Comp-OE	\$	75,000.00
23-220-650	Group Insurance-OE	\$	85,000.00
26-315-240	Vehicle Maintenance-OE	\$	35,500.00
26-315-301	Vehicle Maintenance-OE	\$	6,000.00
25-240-011	Police-S&W	\$	440,000.00
25-240-025	Police-OE	\$	15,000.00
25-252-025	Emergency Management-OE	\$	2,000.00
25-265-025	Fire-OE	\$	25,000.00
26-290-011	Roads-S&W	\$	50,000.00
26-290-025	Roads-OE	\$	10,000.00
26-295-025	Shade Tree-OE	\$	1,000.00
26-305-025	Garbage & Trash-OE	\$	1,000.00
26-306-011	Recycling-S&W	\$	13,000.00
26-306-025	Recycling – OE	\$	1,000.00
26-310-011	Buildings & Grounds –S&W	\$	12,000.00
26-310-025	Buildings & Grounds –OE	\$	38,400.00
27-330-011	Health-S&W	\$	1,500.00
27-330-025	Health-OE	\$	5,000.00
27-335-025	Environmental Commission-S&W	\$	1,500.00
27-340-011	Animal Control-S&W	\$	2,500.00

Cranbury Township Resolution # R 01-05-029

(Continued)

27-340-025	Animal Control-OE	\$	5,000.00
27-345-011	Social Services-S&W	\$	10,000.00
28-370-011	Board of Recreation-S&W	\$	3,500.00
28-375-011	Parks-S&W	\$	20,000.00
28-375-025	Parks-OE	\$	5,000.00
29-390-011	Library-S&W	\$	60,000.00
29-390-025	Library-OE	\$	10,000.00
31-430-025	Electric-OE	\$	10,000.00

31-435-025	Street Lighting-OE	\$	10,000.00
31-440-100	Telephone-Admin.	\$	3,400.00
31-440-240	Telephone-Police	\$	3,300.00
31-440-310	Telephone-Public Buildings	\$	3,300.00
31-446-025	Gas-OE	\$	7,000.00
31-455-011	Sewer-S&W	\$	31,000.00
31-455-025	Sewer-OE	\$	45,000.00
31-460-240	Motor Fuel-Police	\$	5,000.00
31-460-290	Motor Fuel-PW	\$	5,000.00
36-472-670	Social Security-OE	\$	75,000.00
41-702-030	Municipal Alliance Grant-S&W	\$	8,500.00
42-306-025	Recycling MCIA-OE	\$	10,000.00
42-331-025	County Health Contract-OE	\$	10,000.00
42-455-025	MCUA-OE	\$	30,000.00
43-490-025	Municipal Court-OE	\$	40,000.00

2005 Temporary Budget Subtotal	\$	1,577,700.00
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Debt Service:

45-925-026	BAN-Principal	\$	504,000.00
45-935-027	Interest on Notes	\$	40,000.00
45-942-025	EDA Loan Interest	\$	1,125.00
44-900-025	Capital Improvement Fund	\$	275,000.00

2005 Temporary Budget Total	\$	2,397,825.00
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CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution, adopted by the Township Committee on January 24, 2005.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 01-05-030

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

**A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT
FOR AUDITING SERVICES TO Ronald A. Ghrist, C.P.A., R.M.A.**

WHEREAS, there is a need for auditing services for the Township of Cranbury on an ongoing basis; and

Cranbury Township Resolution # R 01-05-030
(Continued)

WHEREAS, Ronald A. Ghrist, C.P.A., R.M.A. has submitted a proposed contract for providing these services at rates noted in the attached document, and
WHEREAS, funds are available for this purpose, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et. seq.) requires that the Resolution authorizing the award of the contracts for professional services without competitive bids must be publicly advertised if in excess of the bid limit;

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

1. Mayor and Clerk of the Township of Cranbury are hereby authorized and directed to execute the attached Agreement with Ronald A. Ghrist, C.P.A., R.M.A., for professional legal services for the year 2005, as set forth in said Contract, which is available for inspection at the Office of the Township Clerk.
2. This Contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contract Law, inasmuch as said Agreement is for services to be performed by persons authorized by law to practice a recognized profession which is not susceptible to competitive bidding and is of a qualitative nature.
3. A notice regarding the award of the Contract shall be published in the Cranbury Press within ten (10) days after passage of same if the Contract will exceed the bid limit.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, hereby certify that the above is a true copy of a Resolution, adopted by the Township Committee of the Township of Cranbury on January 24, 2005.

Kathleen R. Cunningham, Clerk

Work Session

b. Police Station Update

Mark Berkowsky of Berkowsky and Associates, Inc. provided an update on the Police Station construction. Mr. Berkowsky indicated the weather might hold up the work somewhat and the schedule will be reviewed again next month. Mr. Berkowsky will have some cost figures to go over with the Township Committee at next month's meeting. Mr. Panconi asked about the water heater. He raised a concern with the water heater being electric and recommended the water heater be gas. The cost difference is approximately \$50.00 but monthly costs would be much better with a gas water heater, i.e. long-term costs. Mr. Berkowsky also indicated the job is coming in on budget as planned and there have been no additional costs to date. Mr. Berkowsky also reported conduits are still being discussed.

c. Township Committee Liaison Assignments

Township Committee Liaison positions were distributed to the Township Committee by Mayor Beauregard. Mayor Beauregard asked the members of the

Work Session (Continued)

Township Committee to review the assignments and let her know by Tuesday if there are any changes or errors.

Ms. Stave asked why the Work Session Item on Parks was not discussed. Ms. Waterbury responded her office had not had time to review everything she had received from Ms. Dossin and Ms. Veghte.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. A gentleman in the audience mentioned the newsletter had been printed with the incorrect meeting schedule for the Township Committee. The newsletter the gentleman received showed the Township Committee meeting three times a month and not two times a month and the times were incorrect. Mr. Carr, Township Administrator will look into the matter and correct it. There being no further comments, the Mayor closed the public part of the meeting.

Mayor's Notes

- a. Township Committee Meeting February 7 & 14, 2005:
Mayor Beauregard suggested the Township Committee Meeting of February 14, 2005 be rescheduled to February 7, 2005 in order to meet the State deadline for introduction of the 2005 Municipal Budget. A motion was made by Mr. Panconi, seconded by Mr. Stout and unanimously carried to change the meeting date from February 14th to February 7, 2005 at 7:00 p.m.
- b. Municipal Alliance Appointments - Mayoral Appointment (Jane Holland):
Mayor Beauregard appointed Jane Holland to the Municipal Alliance on Drug Abuse and Alcoholism.
- c. Zoning Board of Adjustment - Township Committee Appointments
Mayor Beauregard announced the resignation of Mr. John Toscano on the Zoning Board of Adjustment and indicated the Township Committee would discuss in Closed Session the possible appointments and strategy.

Ms. Stave spoke concerning a letter the Township Committee had received from Anna Drago, regarding the removal of trees on the Wright South property. Since Ms. Stave was involved, she wanted to go on record to explain why. Ms. Stave indicated the Township Committee had discussed the removal of trees at least once, if not twice. She also indicated that the removal of the trees was consistent with the Brown and Kenner plan to create a view shed from Main Street on to the Wright South Property and also to make a cleaner line of trees going out to the baseball field. She remarked that the Brown and Kenner plan had been discussed at several public meetings. The trees that were removed were "volunteers". Ms. Stave also said that the Brown and Keener plan included the addition of trees which will be planted after the soil remediation.

Resolution

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

Ayes: (Beauregard (Panconi (Stannard (Stave (Stout	Absent: (None Abstain: (None
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Nays: None

Cranbury Resolution # R 01-05-018

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 Township Committee will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act, P.L. 1975, c. 231.

1. The general nature of the subject to be discussed in this session is as follows:
----Litigation—Pending Litigation: Status report and matters
requiring confidential advice of counsel regarding Danser
v. Township of Cranbury, Docket No. MID-C-267-04.

----Land Acquisition—Discussion of land acquisitions.

----Land Acquisition—Discussion of E. Barclay acquisition.

----Discussion of Zoning Board Of Adjustment Appointees.

----Review of Closed Session Committee Minutes of January 3,
2005, Review of Closed Session Minutes from January 5, 2004-
November 15, 2004.

2. 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: January 24, 2005

On motion by Ms. Stave, seconded by Mr. Panconi the Closed Session Minutes of January 3, 2005 were unanimously approved.

On motion by Ms. Stave, seconded by Mr. Panconi, the following minutes can be released without redaction: January 5, 12 & 26, February 4 and 23, March 1 and 15, April 19, May 3, 17, & 24, June 14 and 28, July 26, August 16 and 30, September 20, October 18, November 15 and release provided, as redacted for: February 9, April 12 and 26 and September 13 and 27, 2005 minutes.

Ayes: (Beauregard Absent: (None
(Panconi
(Stannard
(Stave

Nays: (None Abstain: (Stout

On motion by Ms. Stave, seconded by Mr. Stannard and unanimously carried, Glenn Johnson was appointed to the Zoning Board of Adjustment:

Ayes: (Beauregard Absent: (None
(Panconi
(Stannard
(Stave

Nays: (None

Ms. Stave asked if a letter had been sent to Mr. and Mrs. Gerberich in response to their letter sent to the Township Committee and received by the Township on December 2, 2004. The letter concerned safety issues in the Evans Tract. Also, Ms. Stave also requested a meeting be called of the sidewalk sub committee to address the problem.

Mayor Beauregard indicated a mail log had to be kept of all incoming letters from constituents and the status of particular concerns, perhaps an excel file. Mayor Beauregard indicated she would meet with Mr. Carr and Ms. Cunningham to discuss this issue.

Ms. Stave mentioned if anyone had any comments on the exhibition in the Gourgau Gallery, those comments should be directed to Bob Virgadamo, Arts Review Committee.

On motion by Ms. Stave, seconded by Mr. Stout and unanimously carried, the meeting adjourned at 8:32 p.m.

Kathleen R. Cunningham, Clerk