

TOWNSHIP COMMITTEE MEETING  
MAY 9, 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.

Committee Minutes of April 25, 2005

On motion was Ms. Stave, seconded by Mr. Panconi and unanimously carried, the minutes of April 25, 2005 were adopted.

Reports and Communications

--Mayor

Mayor Beauregard had nothing to report.

--Members of Committee

There were no reports.

--Subcommittees and Ad Hoc Committees

Mr. Stannard reported the Personnel subcommittee had a meeting last Thursday and made a recommendation to hire Kathleen Wasson as Deputy Treasurer. The Township Committee unanimously supported the recommendation.

Agenda Additions/Changes

Mayor Beauregard asked that a "pending issues report" be included in the discussion of the Interaction Data Base under Work Session, item b.

Ordinance

First Reading

Cranbury Township Ordinance # 05-05-11

An Ordinance entitled, "Cranbury Township Ordinance # 05-05-11, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTERS EIGHTEEN, NINETEEN AND THIRTY-EIGHT OF THE CODE OF THE TOWNSHIP OF CRANBURY, ENTITLED "FIRE DEPARTMENT," "FIRST AID SQUAD" AND "SALARIES AND COMPENSATION," RESPECTIVELY", was introduced for first reading. On motion by Ms. Stave, seconded by Mr. Panconi, the Ordinance was passed on first reading by vote:

Cranbury Township Ordinance # 05-05-11

(Continued)

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

Public Hearing: May 23, 2005

**WHEREAS**, the Township is in the process of updating the entire Code of the Township of Cranbury ("Code"); and

**WHEREAS**, it has been determined that in the interest of allowing reasonable review time for the Township Committee and the public, and expediting adoption of necessary revisions, groups of Chapters will be amended in a series of Ordinances, followed by adoption of the entire Code in book format; and

**WHEREAS**, at this time Chapters Eighteen, Nineteen and Thirty-Eight of the Code shall be revised to ensure their continued consistency with the law;

**NOW THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Cranbury, Middlesex County, New Jersey, that the Code of the Township of Cranbury ("Code") be amended as follows:

1. Sections 18-2, 18-3, 18-4, 18-6 and 18-7 of Chapter 18 of the Code, entitled "Fire Department," shall be amended as follows (deletions are in [brackets]; additions are underlined):

**' 18-2. Rules and regulations.**

The Cranbury Fire Company Cadet/Junior Program Constitution and By-Laws, dated September 25, 1997[, as attached hereto and made a part hereof] and as may be amended from time to time, are hereby established, confirmed and continued as the rules and regulations governing the activities of [a] the Junior Firemen's Auxiliary. A copy of the rules and regulations shall be [are] available for public inspection [at] in the office of the [Cranbury] Township Clerk during normal business hours.

**'18-3. Program created.**

A Length of Service Awards Program (LOSAP) [is herewith] is hereby created, continued and confirmed pursuant to [in accordance with Chapter 388 of the Laws of 1997] P.L. 1997, c. 388 (N.J.S.A. 40A:14-183 et seq.), as amended from time to time, to reward members of the Cranbury Township Volunteer Fire Company for their loyal, diligent, and devoted services to the residents of Cranbury Township, effective January 1, 2000.

**' 18-4. Contributions.**

A. The LOSAP shall provide for fixed annual contributions to a deferred income account for each active volunteer member that meets the criteria set forth below; that such contributions shall be made in accordance with

a plan that shall be established by the Township Committee pursuant to P.L. 1997, c.388 (N.J.S.A. 40A:14-183 et seq.), as amended from time to time; and that such plan shall be administered in accordance with the laws of the State of New Jersey, the U.S. Internal Revenue Code, and this article.

B. The LOSAP shall provide for annual contributions to accounts for each [eligible] active volunteer member [as follows: For regular annual service \$1,150] as set forth in the current Salary Ordinance, a copy of which is on file in the office of the Township Clerk.

**' 18-6. Cost of program.**

The annual estimated cost of the [programs: \$17,250] LOSAP shall be as reflected in the current Salary Ordinance, a copy of which is on file in the office of the Township Clerk.

**' 18-7. Point system.**

Each active volunteer member shall be credited with points for volunteer services provided to the Cranbury Volunteer Fire Company as follows:

**[50]100 Points a Year Required**

Category	Points	Maximum Points
1) Calls – <u>per</u> dispatched emergency response	[1] <u>2</u>	[50] <u>100</u>
2) Training – per every two hours of each course attended	[1] <u>2</u>	[10] <u>20</u>
3) Drills – per every two hours of official drill participation	[1] <u>2</u>	[12] <u>24</u>
4) Meetings – per Fire Company or special meeting	[1] <u>2</u>	[12] <u>24</u>
5) Functions – per Fire Company function	[1] <u>2</u>	[10] <u>20</u>
6) Officer – per year as elected officer	[6] <u>12</u>	[ <u>6</u> ] <u>12</u>
[Total Points		100]

2. Sections 19-1, 19-2, 19-4 and 19-5 of Chapter 19 of the Code, entitled "First Aid Squad," are hereby amended as follows (deletions are in [brackets]; additions are underlined):

**' 19-1. Program created.**

A Length of Service Awards Program (LOSAP) [is herewith] is hereby created, continued and confirmed pursuant to [in accordance with Chapter 388 of the Laws of 1997] P.L. 1997, c. 388 (N.J.S.A. 40A:14-183 et seq.), as amended from time to time, to reward members of the volunteer Cranbury First Aid Squad for their loyal, diligent, and devoted services to the residents of Cranbury Township, effective January 1, 2000.

**' 19-2. Contributions.**

A. The LOSAP shall provide for fixed annual contributions to a deferred income account for each active volunteer member that meets the criteria set forth below; that such contributions shall be made in accordance with a plan that shall be established by Cranbury Township pursuant to P.L. 1997, c.388 (N.J.S.A. 40A:14-183 *et seq.*), as amended from time to time; and that such plan shall be administered in accordance with the laws of the State of New Jersey, the U.S. Internal Revenue Code, and this article.

B. The LOSAP shall provide for annual contributions to the account of each [eligible] active volunteer member [as follows: for regular service, \$1,150] as set forth in the current Salary Ordinance, a copy of which is on file in the office of the Township Clerk.

**' 19-4. Cost of program.**

The annual estimated cost of the [program is \$17,250] LOSAP shall be as reflected in the current Salary Ordinance, a copy of which is on file in the office of the Township Clerk.

**' 19-5. Point system.**

Each active volunteer member shall be credited with points for volunteer services provided to the volunteer Cranbury First Aid Squad as follows:

**100 Points a Year Required**

1)	Executive Officers	50
2)	Line Officers	50
3)	Per call answered	1
4)	Respond to scene	.5
5)	Meetings	2.5
6)	Drills	2.5
7)	Special assignments	5

[(30 points possible per year)]

3. Chapter 38 of the Code, entitled "Salaries and Compensation," is hereby amended by adding a new section 38-1 to read as follows:

Cranbury Township Ordinance # 05-05-011  
(Continued)

**CHAPTER 38**

## SALARIES AND COMPENSATION

### §38-1. Generally.

The salaries and compensation of all officers and employees of the Township are set forth and amended from time to time by Salary Ordinance. A copy of the currently effective Salary Ordinance is on file in the office of the Township Clerk and available for public inspection during normal business hours.

4. This ordinance shall take effect upon notice and publication, as provided for by law.

Ordinance

First Reading

Cranbury Township Ordinance # 05-05-12

An Ordinance entitled, "Cranbury Township Ordinance # 05-05-12, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, INCREASING FEES FOR PURCHASING CERTIFIED COPIES OF VITAL RECORDS AND AMENDING CHAPTER EIGHTY-TWO OF THE CODE OF THE TOWNSHIP OF CRANBURY", 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: May 23, 2005

BE IT ORDAINED by the Township Committee of the Township of Cranbury, Middlesex County, New Jersey, that the "Code of the Township of Cranbury" ("Code") be amended as follows:

1. Section 82-2 of Chapter 82 of the Code, entitled "Miscellaneous Fees," shall be amended as follows (additions are underlined and deletions are [bracketed]):

**§ 82-2. Miscellaneous fees.**

- |    |                                |                               |
|----|--------------------------------|-------------------------------|
| A. | Certified copy of vital record | [\$ 2.00] <u>\$ 4.00</u> each |
| B. | (Reserved)                     |                               |

2. This ordinance shall be effective upon adoption and publication, as provided for by law.

Ordinance

First Reading

Cranbury Township Ordinance # 05-05-13

An Ordinance entitled," Cranbury Township Ordinance # 05-05-13, was introduced for first reading. On motion by Mr. Panconi, seconded by Mr. Stout, the Ordinance was passed on first reading by vote:

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

Public Hearing: May 23, 2005

Cranbury Township Ordinance # 05-05-13

BOND ORDINANCE PROVIDING FOR PHASE II OF THE CONSTRUCTION OF THE POLICE BUILDING IN AND BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$105,263 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$100,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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:

The improvement described in Section 3 of this bond ordinance is hereby 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 sum of \$105,263, including the sum of \$5,263 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$100,000 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.

(a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the Phase II of the construction of the Police Building, including all work and materials necessary therefor and incidental thereto.

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

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

Cranbury Township Ordinance # 05-05-13

(Continued)

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.

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.

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

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

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 20 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 \$100,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$20,000 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.

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.

Cranbury Township Ordinance # 05-05-13

(Continued)

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.

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.

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

Resolutions/Proclamations  
Consent

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	

Cranbury Township Resolution # R 05-05-099

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 05-05-100

RESOLUTION OF THE TOWNSHIP OF CRANBURY  
MIDDLESEX COUNTY, NEW JERSEY

A RESOLUTION AWARDED PROFESSIONAL SERVICES AGREEMENT TO  
MAX SPANN AUCTION COMPANY FOR REAL ESTATE BROKERAGE, AUCTIONEER AND  
MARKETING SERVICES FOR THE SALE OF THE "E. BARCLAY FARM" AT PUBLIC AUCTION

Cranbury Township Resolution # R 05-05-100  
(Continued)

WHEREAS, there exists a need for the Township of Cranbury to procure the services of a licensed real estate broker and auctioneer to assist the Township in marketing and selling property owned



by the Township and more specifically identified as Block 22, Lot 7 on the Cranbury Township Tax Map and sometimes referred to as the "E. Barclay Farm" (the "Property"); and

WHEREAS, Max Spann Auction Company has submitted a proposal to provide the sought-after services to the Township, and the Township is interested in hiring Max Spann Auction Co. for same; and

WHEREAS, the parties seek to list the Property for sale through Max Spann Auction Co. and to attempt to effectuate the sale of the Property at an Auction to be conducted by Max Spann Auction Co.; and

WHEREAS, the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., allows the Township Committee to award a professional services agreement exceeding the bid threshold without competitive bidding; and

WHEREAS, the Local Public Contracts Law 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:

1. A professional services agreement is hereby awarded to Max Spann Auction Company for the provision of licensed real estate brokerage and auctioneer services to assist the Township in marketing and selling property owned by the Township and more specifically identified as Block 22, Lot 7 on the Cranbury Township Tax Map and sometimes referred to as the "E. Barclay Farm" (the "Property").

2. The Mayor and Clerk are hereby authorized and directed to execute an Agreement with Max Spann Auction Co. to provide these professional services to the Township. The form of the Agreement shall be subject to the approval of the Township Attorney's Office.

3. The term of the Agreement shall be one year from the date of the execution of the Agreement by both parties or until the Property is sold, whichever takes place first.

4. In accordance with prevailing custom and practice, Max Spann Auction Co. will charge a Buyer's Premium of ten percent (10%) to be added to the sales price that is accepted by the Township. The Buyer's Premium shall be due and payable at closing. Payment of the Buyer's Premium shall be contingent upon the Township Committee's acceptance of a bid for the sale of the Property and the closing of title thereon. In no event shall the Township be required to pay the Buyer's Premium.

5. 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.

6. A notice of this action shall be published in the official newspaper as required by law.

Cranbury Township Resolution # 05-05-100  
(Continued)

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 May 9, 2005.

\_\_\_\_\_  
Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 05-05-101

A RESOLUTION CHANGING THE CUSTODIAN OF A PETTY CASH FUND

WHEREAS, E. Ziegler was custodian of the Administration Petty Cash Fund, and

WHEREAS, in accordance with N.J.S.A. 40A:5-21, the Township of Cranbury is changing custodians to Kathleen Cunningham; and

WHEREAS, Kathleen Cunningham is bonded in the amount of \$250.00 by virtue of a surety bond.

NOW, THEREFORE, BE IT RESOLVED that the Township of Cranbury, County of Middlesex hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a resolution, which was adopted by the Township Committee on May 9, 2005.

\_\_\_\_\_  
Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 05-05-102

**RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ**

A RESOLUTION AWARDING SERVICES AGREEMENT

WHEREAS, the Township of Cranbury owns real property used as farmland and that is designated as Block 22, Lot 7 on the Township's tax map (sometimes referred to for ease of reference as the "E. Barclay Farm"); and

WHEREAS, the Township seeks to procure services that will enable the Township to maintain the E. Barclay Farm as productive agricultural land eligible for the farmland preservation program; and

WHEREAS, Donald C. Patterson has farmed the subject real property in the past and the Township seeks to hire Mr. Patterson to continue providing these farming services; and

WHEREAS, the Township seeks to pay Mr. Patterson for his services in kind by allowing Mr. Patterson to retain any profit realized from the sale of his crops, the value of which will not exceed \$25,000.00; and

Cranbury Township Resolution # R 05-05-102  
(Continued)

WHEREAS, because this contract amount does not exceed the bid threshold, this contract award is exempt from public bidding pursuant to N.J.S.A. 40A:11-3a. and 40A:11-6.1a.; and

WHEREAS, the Township has not solicited other quotes for the provision of these services because it was not practicable to do so;

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 Donald C. Patterson for the provision of farming services to the Township at the E. Barclay Farm situate in the Township of Cranbury and designated as Block 22, Lot 7 on the Township's tax map.

2. The contract term shall terminate one (1) year from the date of the agreement or upon the Township's sale of the subject property, whichever event occurs first. In the event the Township's sale of property is the earlier of the two events, then Mr. Patterson shall have the right to harvest any crop(s) then in the ground.

3. Mr. Patterson shall be paid for services in kind, the value of which will not exceed \$25,000.00.

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 May 9, 2005.

\_\_\_\_\_  
Kathleen R. Cunningham, Clerk

CRANBURY TOWNSHIP RESOLUTION # R 05-05-103

CHANGING THE CUSTODIAN OF A PETTY CASH FUND

WHEREAS, M. Menser was custodian of the Public Assistance Petty Cash Fund, and

WHEREAS, in accordance with N.J.S.A. 40A:5-21, the Township of Cranbury is changing custodians to Jan Bayern; and

WHEREAS, Jan Bayern is bonded in the amount of \$200.00 by virtue of a surety bond.

NOW, THEREFORE, BE IT RESOLVED that the Township of Cranbury, County of Middlesex hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a resolution, which was adopted by the Township Committee on May 9, 2005.

\_\_\_\_\_  
Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 05-05-104

RESOLUTION OF THE TOWNSHIP OF CRANBURY  
MIDDLESEX COUNTY, NEW JERSEY

A RESOLUTION AWARDED PROFESSIONAL SERVICES AGREEMENT TO  
MAX SPANN AUCTION COMPANY FOR REAL ESTATE BROKERAGE, AUCTIONEER AND  
MARKETING SERVICES FOR THE SALE OF THE "BARCLAY FARM" AT PUBLIC AUCTION

WHEREAS, there exists a need for the Township of Cranbury to procure the services of a licensed real estate broker and auctioneer to assist the Township in marketing and selling property owned by the Township and more specifically identified as Block 25, Lot 19.01 ("Barclay North") and Block 23,

Lot 12.01 ("Barclay South") on the Cranbury Township Tax Map (collectively referred to as the "Barclay Farm"); and

WHEREAS, Max Spann Auction Company has submitted a proposal to provide the sought-after services to the Township, and the Township is interested in hiring Max Spann Auction Co. for same; and

WHEREAS, the parties seek to list the Barclay Farm for sale through Max Spann Auction Co. and to attempt to effectuate the sale of the Barclay Farm at an Auction to be conducted by Max Spann Auction Co.; and

WHEREAS, the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., allows the Township Committee to award a professional services agreement exceeding the bid threshold without competitive bidding; and

WHEREAS, the Local Public Contracts Law 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:

1. A professional services agreement is hereby awarded to Max Spann Auction Company for the provision of licensed real estate brokerage and auctioneer services to assist the Township in marketing and selling property owned by the Township and more specifically identified as Block 25, Lot 19.01 ("Barclay North") and Block 23, Lot 12.01 ("Barclay South") on the Cranbury Township Tax Map (collectively referred to as the "Barclay Farm").

2. The Mayor and Clerk are hereby authorized and directed to execute an Agreement with Max Spann Auction Co. to provide these professional services to the Township. The form of the Agreement shall be subject to the approval of the Township Attorney's Office.

3. The term of the Agreement shall be one year from the date of the execution of the Agreement by both parties or until the Barclay Farm is sold, whichever takes place first.

4. In accordance with prevailing custom and practice, Max Spann Auction Co. will charge a Buyer's Premium of ten percent (10%) to be added to the sales price that is accepted by the Township. The Buyer's Premium shall be due and payable at closing. Payment of the Buyer's Premium shall be contingent upon the Township Committee's acceptance of a bid for the sale of the Barclay Farm and the closing of title thereon. In no event shall the Township be required to pay the Buyer's Premium.

5. 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.

Cranbury Township Resolution # R 05-05-104  
(Continued)

6. 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 May 9, 2005.

\_\_\_\_\_  
Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 05-05-105

GRANT AGREEMENT  
BETWEEN

Township of Cranbury  
AND  
THE STATE OF NEW JERSEY  
BY AND FOR  
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GRANT IDENTIFIER: ES05-034

GOVERNING BODY RESOLUTION

WHEREAS, the Township of Cranbury Environmental Commission, has applied for a matching grant from the New Jersey Department of Environmental Protection ("DEPARTMENT"), Environmental Services Program ("ESP"), Matching Grants Program established pursuant to N.J.S.A. 13:1H-1 et.seq., for funding in connection with a project entitled, "Surface Water Sampling and Evaluation("PROJECT") the total cost of the PROJECT being \$5,000.00; and

WHEREAS, the DEPARTMENT has reviewed the application submitted by the COMMISSION and found it to conform with the scope and intent of the ESP Matching Grants Program and has approved the COMMISSION'S request for funding in the amount of \$ , contingent on the COMMISSION'S providing the required matching funds; and

WHEREAS, in order to obtain the grant funds, it is necessary that the Township of Cranbury certify that matching funds in the amount of \$2,500.00 will be provided by the Township of Cranbury to the COMMISSION for the PROJECT.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Cranbury:

1. That the COMMISSION was created and continues to exist in accordance with the laws of the State of New Jersey,
2. That the governing body recommends that the DEPARTMENT approved the COMMISSION'S application for funding,
3. That the COMMISSION is authorized to enter into a grant agreement with the DEPARTMENT in connection with the PROJECT, Office of Environmental Services Program, Grant Number ES05-034,
4. That upon execution of the above grant agreement, the Township of Cranbury  
Cranbury Township Resolution # R 05-05-105  
(Continued)

will provide the COMMISSION with matching funds in the amount of \$2,500.00, for the PROJECT, and

5. That this resolution shall take effect immediately.

Introduced and passed May 9, 2005.

5 Ayes: Beauregard, Panconi, Stannard, Stave & Stout

0 Nays

0 Abstentions

0 Absent

Certification

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, State of New Jersey, do hereby certify that the foregoing is a true copy of a Resolution adopted by the governing body of the Township of Cranbury at a meeting held on the 9<sup>th</sup> day of May, 2005.

Kathleen R. Cunningham, Clerk

Reports from Township Staff and Professionals

Ms. Marcelli, Township Engineer, reported she had a meeting scheduled for May 17, 2005 in reference to South Main Street sewers. Residents of South Main Street had expressed their interest in extending sewer service to their properties. There are approximately eight (8) homes which are currently on septic but are within the 208 service area. The meeting is an informal type meeting, to explain to the residents what the process would be should they desire to hook up with the service and how to go forward.

Mayor Beauregard did not participate in the following discussion:

Ms. Marcelli reported also on the Wright South parcel. Ms. Marcelli indicated she and the Township Attorney, Lisa Randazzese were in the process of preparing a memo outlining what has been and what still needs to be done. Ms. Marcelli reported on the recent activity going on the property, indicating that had been due to the demolition contractor hiring Mr. Bloom to excavate out old garbage and should be completed shortly. The general contractor should be completed by the end of May at the site.

Ms. Stave asked where the sign went that had been on the property, indicating "Wright's Roses" and asked if anyone knew where it went to please return it as it was Township property. Ms. Randazzese indicated she had already notified Mr. Wright's attorney.

Mr. Panconi raised the question to the Township Engineer, by the disturbance of the soil on the Wright South parcel, did it have an effect by drifting over to the school. Ms. Marcelli reported it did not and it had been monitored.

Mr. Panconi asked for an update on the Half Acre Road intersection. Ms. Marcelli indicated she would contact the developer, Prologis and give an update on the issue via e-mail.

Reports from Township Boards and Commissions

There were no reports.

Work Session

a. Cranbury Township Web Site

Ms. Stave thanked members of the Cranbury Lions Club, in particular, Dave Schaefer and Michele Hart for their hard work on the Lions web site and the Lions' Club for hosting the Township web site. Ms. Stave also thanked Morris Enyeart from City Connections for working with the Township, along with Cranbury Township resident, John Ritter who put in a lot of his time and effort towards the creation of the new web site. Also thanked were Township Attorney Lisa Randazzese and Cathleen Marcelli, Township Engineer. Mr. Enyeart and Ms. Stave then presented the new web site.

b. Interaction Data Base & Pending Issues Report

Township Committee discussed the format and content of a draft system for tracking interactions with constituents and pending issues. The

Township  
the

Committee directed the pending issues report would be maintained by  
Township Administrator and the Interaction Data Base by the Township Clerk.

c. Truck Traffic Signage on Route 130

Shropshire Associates undertook an evaluation of the signage along Route 130 in Cranbury. Andrew Feranda, Traffic Engineer of Shropshire Associates presented and discussed his recommendations to the Township Committee. Mr. Feranda indicated he had been asked by the signage subcommittee to evaluate the truck traffic along Route 130 and the main points of entry in the village area. He found the existing signs lack information, are in poor condition and some do not follow consistent patterns. Mr. Feranda made a recommendation to have clear and concise messages on the signs, as well as to limit the truck traffic onto Main Street with truck signs at key locations—specifically North Main Street southbound entrance on Route 130. Also to direct larger trucks away from the West side to the East side where the warehouses are located. Vehicles traveling south on South River Road would be directed prior to entering Route 130. Mr. Feranda recommended the Township should pursue sources of funding for the signage project. “Congestion Busters Task Force had been contact for funding and the New Jersey Department of Transportation Traffic and Safety Engineering Department were to be contacted as well. Mr. Feranda also indicated Shropshire Associates had been in the process of finalizing a plan to be presented to the signage subcommittee. Ms. Stave indicated she had spoken with the Township Historian, Betty Wagner earlier in the day. Ms. Wagner and her husband recommended calling the signs—“Cranbury Historic Village” and “Cranbury Truck Routes”. Ms. Stave thanked Mr. Feranda for his prompt and thorough work on the project and suggested implementing the signs by the end of the summer. Ms. Marcelli, Township Engineer, suggested having the “Congestion Buster” Committee meeting with the subcommittee to work out the signage and funding issues.

d. Main Street Pedestrian Crossing- Evans and Main Street

Shropshire Associates undertook an evaluation of pedestrian crosswalks and related pedestrian accommodations at the intersection of Evans Drive and Main Street. Andrew Feranda of Shropshire Associates presented and discussed his recommendations to the Township Committee. Mr. Feranda indicated Shropshire had observed pedestrian and vehicular movements at the intersection and made the following recommendations: Have a uniformed crossing guard at the location, move the existing striped crosswalk to the South side and the existing crosswalk removed. A new angled crosswalk would be installed to

Work Session (Continued)

e. Main Street Pedestrian Crossing-Evans and Main Street (cont'd)

replace the existing one and would be located on the South side. Install the sidewalk, providing a handicapped ramp on the Southeast corner where there currently is a sidewalk and place a cone or a cone with a sign in the roadway to indicate where the crosswalk is located. Mr. Feranda recommended the school students be educated with pamphlets, indicating where the new locations of the crosswalks are. Ms. Stave asked if cutting back the shrubbery would be of any help. Mr. Feranda responded it would help those pedestrians coming from Main Street but not Brainerd Drive at a non-protected crossing guard location. It was recommended to have the work done by summer, after presenting a complete plan and getting approval from the County. Mr. Stout made a recommendation about adding a stop sign at the intersection and discussing this proposal with the Police Department. Mayor Beauregard suggested having the Township Engineer also work on this issue, along with the School and then come back to the Township Committee. Mayor Beauregard asked what kind of a time frame would be involved. Mr. Feranda responded the plan should go to the County by early summer so

decisions can be made and construction could be done during those months. Ms. Stave raised her concern over the dense shrubbery on Evans Drive blocking the view and Mayor Beauregard added she had almost been hit while walking at night.

Mr. Panconi asked about the crosswalk on Old Trenton Road by the Cranbury Swim Club. Mr. Feranda recommended not having a crosswalk at that location, as it is not a signalized or stop sign intersection and cars are not expecting to stop there. It was suggested having a solar panel with blinking lights. Mr. Feranda indicated to have signals on both sides would run approximately \$15,000 to \$20,000. Mayor Beauregard asked Ms. Marcelli, Township Engineer and Mr. Feranda to incorporate this issue into the report they would be bringing back to the Township Committee.

#### Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Ms. Beth Veghte, Recreation Commissioner, asked about the status of the contract for the baseball field (EDAW). The Township Attorney responded that a few details are being reviewed and this item should be on the May 23<sup>rd</sup> agenda.

Mr. Bill Riley, 11 Cranbury Neck Road, commented he agreed with the safety issues concerning the Evans Tract and crosswalks. Mr. Riley commented on the Updike/Sharbell Development and the 20 foot easement behind the houses on Cranbury Neck Road. Mr. Riley indicated that he understood the owners were not permitted to install fences or anything else. Ms. Marcelli, Township Engineer, reported all of the residents who requested fences had been issued a zoning permit for that 20 foot easement area and were required to have a gated access in order for the Public Works Department to gain access to the area. Mr. Riley explained he just wanted to confirm that those residents were in compliance. Mr. Panconi indicated he would like a confirmation that the home owners have the correct size gates installed.

Mr. Panconi asked the status of the Comcast Cable Agreement. Ms. Randazzese, Township Attorney, indicated Comcast has to provide information to the Township. One of the issues is whether or not Comcast will be providing cable to the new police building and businesses out in that location. It is a very slow process. Mr. Panconi indicated he had an inquiry by The Cranbury First Aid Squad.

#### Public Comment (Continued)

Mr. Mike Dulin, Wynnewood Drive, asked as the Township approaches the issue of re-appraisals for properties, he had one area of concern: individual home owners are concerned if their home is valued more or less than someone next store, there is a normal process in place, however, in the area of commercial assessments there is not, indicating there are a lot of companies in the Township who have a very large stake in the re-assessment process. As the Township goes into the process, the large companies have many resources and spend a lot of attention to how those assessments are made. Mr. Dulin raised his concern that once the process begins the home owner loses a lot of control over the process--no control over how a corporate property is valued. Mr. Steve Benner, Tax Assessor, responded to Mr. Dulin's concern, indicating the large corporations monitor annually so whether or not a town is going through a tax re-valuation is irrelevant. Almost all have tax reps who visit annually, monitor the ratio and they will simply apply their resources and file a tax appeal. Mr. Benner indicated also they will appeal in a re-evaluation year, as well as a common year. The re-valuation itself will not spur any additional activity. The large corporations would use their resources at any given time. The Township has in the past, employed consultants besides Mr. Benner where necessary to give the Township residents additional expertise to challenge their challenge and to keep everything as knowledgeable as possible for everyone concerned. As far as the re-valuation process, there are State regulations which govern and there are minimum specifications and the municipality generally builds on top of that. The



municipality has substantial control, governing the specifications it puts forward to the County and State. When the municipality gets approval it monitors the evaluation process. In addition, the municipalities can always retain experts and consultants to assist the Assessor's Office. At the end of the process, it is the Assessor who certifies to the County and State. Mayor Beauregard stated that during the process the Township would make sure Mr. Benner has the support he needs in order to have a fair and objective process for the residents. Mayor Beauregard also indicated residents would be informed during the process so that everyone will understand. There being no further comments, the Mayor closed the public part of the meeting.

#### Resolution

#### Cranbury Township Resolution # R 05-05-098

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

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

Nays: None

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

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

Nays: (None

On motion by Ms. Stave, seconded by Mr. Stout, and unanimously approved, the Closed Session Minutes of April 25 2005 were adopted.

On motion by Ms. Stave, seconded by Mr. Stout, and unanimously approved, the meeting adjourned at 10:05 p.m.

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Kathleen R. Cunningham, Clerk