

TOWNSHIP COMMITTEE MEETING
FEBRUARY 11, 2008

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 F. Panconi, Jr., Richard Stannard, Pari Stave, Wayne Wittman and Mayor David J. Stout. Also present were: Trishka Waterbury, Esquire, Attorney, Christine Smeltzer, Administrator and Kathleen R. Cunningham, Clerk. Mayor Stout led in the salute to the flag and Ms. Cunningham gave the following Open Public Meetings Act statement:

In accordance with Section 5 of the Open Public Meetings Act, it is hereby announced and shall be entered into the minutes of this meeting that adequate notice of this meeting has been provided:

- (1) Posted on December 3, 2007 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 3, 2007.
- (3) Was filed on December 3, 2007 at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey, posted on the Township's web site and remains on file for public inspection, and
- (4) Sent to those individuals who have requested personal notice.

**PUBLIC HEARING
COMMUNITY DEVELOPMENT BLOCK GRANT**

Ms. Cunningham, Clerk, stated notice of the Public Hearing had been advertised in The Cranbury Press and Trenton Times on Friday, January 25, 2008, posted on the Township's web site, posted at the Cranbury Public Library and posted in the new Senior Center at Town Hall.

Mayor Stout opened the Public Hearing at 7:00 p.m. Mayor Stout stated it was his understanding the Public Hearing was being held as part of the Community Development Block Grant and represented the third step in qualifying for the grant. The monies from the grant would be used to defray some of the costs (architectural and engineering) related to the Township's Third Round Affordable Housing Project COAH obligations in conjunction with low-to-moderate housing needs in the Township of Cranbury. The approximate amount of the grant for 2008 is \$29,700.00. Mr. Mark Berkowsky, North Main Street, stated he strongly supports the application and administration of the funds requested and felt they would be a great asset to the Township to help meet its affordable housing needs. There being no further comments, the Mayor closed the Public Hearing. On motion by Mr. Stannard, seconded by Mr. Wittman and unanimously carried, the Public Hearing was closed:

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

Nays: (None

Regular Township Committee Minutes for January 14, 2008

On motion by Ms. Stave, seconded by Mr. Wittman and unanimously carried (with Mr. Panconi abstaining), the Regular Committee Minutes of January 14, 2008 were adopted.

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Special Budget Meeting Minutes of February 2, 2008

On motion by Ms. Stave, seconded by Mr. Panconi and unanimously carried (with Mr. Wittman abstaining), the Special Budget Meeting Minutes of February 2, 2008 were adopted.

Closed Session Township Committee Minutes of January 12, 2008

On motion by Ms. Stave, seconded by Mr. Stannard and unanimously carried (with Mr. Panconi abstaining), the Closed Township Committee Minutes of January 12, 2008 were adopted.

Closed Session Township Committee Minutes of January 14, 2008

On motion by Ms. Stave, seconded by Mr. Stannard and unanimously carried (with Mr. Panconi abstaining), the Closed Session Township Committee Minutes of January 14, 2008 were adopted.

Reports and Communications

--Mayor -- Mayor Stout reported the Township Committee had been ready to introduce the 2008 Township Budget; however, the Township is awaiting some cap information from the State of New Jersey. The information should be forthcoming. Mayor Stout reported the municipal tax rate is expected to change by four cents (4), rising from \$.35 to \$.39 per \$100 of assessed value. Mayor Stout reported the Sustainability/Alternative Energy Work Group had a meeting on January 30, 2008 to review the Draft Energy Report prepared for the Township and the Township will pursue a \$100,000 grant and target monies received (providing they are received) for the Fire House and the Department of Public Works. Members of the Work Group will meet with members of the Fire Company and Public Works to discuss the Energy Audit Report and discuss options for moving forward on some of the projects. Mayor Stout added, the Township is seeing a lot of good come out of this; both in terms of saving dollars as well as energy. Mayor Stout reported last evening he had attended a meeting with Governor Corzine and other representatives of Middlesex County to hear the Governor's Plan on Financial Restructuring and Debt Reduction. Mayor Stout stated he would give a copy of the Report to the Clerk to make copies for the Township Committee members and indicated the meeting had been very interesting. From a local budget perspective, the basis for the Township's triple pension payment was made very clear at the meeting. Basically, the State has long-term liabilities which include \$32-billion in debt, \$25-billion in unfunded pension and \$58-billion in post-retirement medical liability. Mayor Stout stated this explains the seriousness of the State's financial crisis.

--Members of Committee -- Mr. Panconi reported he had met last month with the members of the Fire Company. The report for December: There were 15 calls; six (6) calls were between 6:00 a.m. -- 6:00 p.m., nine calls between 6:00 p.m. -- 6:00 a.m., of those, two (2) calls were between 7:00 a.m. -- 3:00 p.m. Six (6) calls had been due to alarms. Of the calls, three (3) were false alarms (not from chronic offenders). Mr. Panconi reported the Public Works employees who are volunteer members of the Fire Company had been regularly going on calls.

Agenda Additions/Changes

Ms. Cunningham, Clerk, announced, the Ordinance listed on the Agenda on First Reading, # 02-08-05, was missing information in its description and should read as follows: "Cranbury Township Ordinance # 02-08-05, REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF GENERAL IMPROVEMENT BONDS, SERIES 1998, AND GENERAL IMPROVEMENT BONDS, SERIES 2002, APPROPRIATING \$ 10,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE BY THE TOWNSHIP OF ONE OR MORE SERIES OF REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$10,700,000 FOR FINANCING THE COST THEREOF".

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Ordinance
First Reading

Cranbury Township Ordinance # 02-08-05

An Ordinance entitled, ""Cranbury Township Ordinance # 02-08-05, REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF GENERAL IMPROVEMENT BONDS, SERIES 1998, AND GENERAL IMPROVEMENT BONDS, SERIES 2002, APPROPRIATING \$ 10,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE BY THE TOWNSHIP OF ONE OR MORE SERIES OF REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$10,700,000 FOR FINANCING THE COST THEREOF", was introduced for first reading. Mayor Stout explained the Ordinance was being introduced to give the Township flexibility to save money in the longer term by restructuring its debt and by taking advantage of lower interest rates. On motion by Ms. Stave, seconded by Mr. Wittman, the Ordinance was passed on first reading by vote:

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

Nays: (None

Public Hearing: February 25, 2008

Cranbury Township Ordinance # 02-08-05

BE IT ORDAINED BY THE TOWNSHIP COUNCIL 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 Township of Cranbury in the County of Middlesex, New Jersey (the "Township") is hereby authorized to:

- (i) currently refund all or a portion of the \$1,756,000 outstanding principal amount of its General Improvement Bonds, Series 1998 (the "1998 Bonds"), originally issued in the principal amount of \$2,756,000, dated June 15, 1998, which amount matures on June 15 in the years 2008 through 2018, inclusive (the "1998 Refunded Bonds") and which are subject to redemption on or after June 15, 2008 at the option of the Township at a redemption price of 100% of the principal amount of the 1998 Refunded Bonds to be redeemed; and
- (ii) advance refund all or a portion of the \$7,826,000 outstanding principal amount of its General Improvement Bonds, Series 2002 (the "2002 General Improvement Bonds") originally issued in the principal amount of \$10,526,000, dated December 1, 2002, which amount matures on December 1 in the years 2010 through 2022, inclusive (the "2002 Refunded Bonds" and, together with the 1998 Refunded Bonds, the "Refunded Bonds") and which are subject to redemption on or after December 1, 2009 at the option of the Township at a redemption price of 101.0% of the principal amount of the 2002 Refunded Bonds to be redeemed.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof and the costs of issuance associated therewith, negotiable refunding bonds are hereby authorized to be issued in one or more series in the aggregate principal amount not exceeding \$10,750,000 (the "Refunding Bonds") pursuant to the Local Bond Law of the State of New Jersey.

TOWNSHIP COMMITTEE MEETING
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Cranbury Township Ordinance # 02-08-05
(Continued)

Section 3. An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of Refunding Bonds authorized herein.

Section 4. The Township desires to provide for all or a portion of the principal amount of the Refunded Bonds outstanding and the interest and redemption premium, if any, thereon in order to provide for savings in debt service as a result of lower interest rates in the bond markets.

Section 5. 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 is increased by the authorization of the Refunding Bonds provided in this refunding bond ordinance by \$10,750,000 and that an amount representing the principal amount of the Refunded Bonds will be deductible from gross debt. The obligations authorized herein will be within all debt limitations prescribed by that law.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption.

Section 7. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

Ordinance
Second Reading

Cranbury Township Ordinance # 01-08-01

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 01-08-01, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, ESTABLISHING A "NO PASSING ZONE" FOR MIDDLESEX COUNTY ROUTE 615/ CRANBURY NECK ROAD", 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. Ms. Waterbury, Township Attorney, explained the map had been received by the Township and it accurately depicts the section of Cranbury Neck Road, from Symmes Court to Wynnewood Drive as a No Passing Zone. Mr. Mark Berkowsky, North Main Street, explained he was representing Mr. Richard Kallan, Wynnewood Drive, who could not be present at the meeting this evening. Mr. Kallan indicated the Ordinance is still confusing as the Ordinance's first sentence still indicates the No Passing Zone to be between South Main Street and the Township's border. Mayor Stout responded the Ordinance actually stated "a No Passing Zone" and then becomes more specific later on in its text. Ms. Waterbury also responded the map is accurate as to where the No Passing Zone would be located. No one else present wished to speak, so the hearing was declared closed. On motion by Mr. Wittman, seconded by Ms. Stave, the Ordinance was adopted by a vote:

Ayes:	Abstain: (None
(Panconi	Absent: (None
(Stannard	

TOWNSHIP COMMITTEE MEETING
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Cranbury Township Ordinance # 01-08-01
(Continued)

(Stave
(Stout
(Wittman

Nays: (None

Ordinance
Second Reading

Cranbury Township Ordinance # 01-08-03

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 01-08-03, A BOND ORDINANCE PROVIDING FOR ACQUISITION AND CONSTRUCTION OF BUILDINGS FOR AFORDABLE HOUSING IN AND BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX COUNTY, NEW JERSEY, APPROPRIATING \$1,710,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,624,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF", 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. Wittman, the Ordinance was adopted by a vote:

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

Nays: (None

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 (the "Township") as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$1,710,000, including the sum of \$85,500 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 \$1,624,500 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 for the acquisition and construction of buildings, structures or other improvements necessary or useful for the provisions of low and moderate income housing on the site designated on the Township tax maps as Block 20, Lot 10.01, situated on Old Cranbury Road, including all work and materials necessary therefor and incidental thereto and in

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Cranbury Township Ordinance # 01-08-03
(Continued)

accordance with the plans and specifications therefor on file in the office of the Clerk, which plans are hereby approved.

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

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any Inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The 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 benefited 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 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 \$1,624,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

TOWNSHIP COMMITTEE MEETING
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Cranbury Township Ordinance # 01-08-03
(Continued)

(d) An aggregate amount not exceeding \$10,000 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.

Section 7. 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 8. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance.

The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon 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 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Ordinance
Second Reading

Cranbury Township Ordinance # 01-08-04

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 01-08-04, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, CONCERNING USAGE RULES AND FEES FOR ATHLETIC FIELDS AND AMENDING CHAPTER 108 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. Ms. Waterbury, Township Attorney, indicated she would be preparing a Resolution to be adopted at the next Township Committee Meeting, which will adopt specific usage fees for the various Township parks. Mayor Stout thanked everyone who had worked on this issue for the past few years. No one present wished to speak, so the hearing was declared closed. On motion by Ms. Stave, seconded by Mr. Wittman, the Ordinance was adopted by a vote:

Ayes:
(Panconi

Abstain: (None
Absent: (None

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Cranbury Township Ordinance # 01-08-04
(Continued)

(Stannard
(Stave
(Stout
(Wittman

Nays: (None

MOTION: A motion was made by Mr. Panconi, seconded by Mr. Wittman and unanimously carried (with Messrs. Stannard and Stout abstaining) to approve a Raffle Application, submitted by The Cranbury Lions Club (raffle to be held on May 28, 2008 at 2:00 p.m.).

Resolution

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

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

Nays: (None

Cranbury Township Resolution # R 02-08-030

NOTE: For this Resolution, please see Addendum A

Resolution

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

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

Nays: (None

Cranbury Township Resolution # 02-08-031

RESOLUTION OF THE TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY

**A RESOLUTION AWARDED A CONTRACT TO MGB HOUSING AND TAX CONSULTANTS,
LLC FOR GRANT WRITING SERVICES FOR TOWNSHIP AFFORDABLE HOUSING
PROJECTS**

WHEREAS, Township of Cranbury ("Township") requires grant writing services for the Township's affordable housing projects and has a need to acquire such services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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Cranbury Township Resolution # R 02-08-031
(Continued)

WHEREAS, the Township's Administrator has determined and certified in writing that the value of said services will not exceed \$17,500; and

WHEREAS, the term of the contract is for one year; and

WHEREAS, MGB Housing & Tax Consultants, LLC ("Contractor") has submitted the attached proposal for grant writing services dated February 4, 2008 at the rates and costs set forth therein; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of grant writing services contracts without competitive bidding when the cost of such contract does not exceed the applicable bid threshold; and

WHEREAS, the Township's Chief Financial Officer has certified that sufficient funds are available for this purpose.

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached Agreement with MGB Housing & Tax Consultants, LLC pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.
2. A copy of this Resolution, the Determination of Value, the Business Disclosure Certification, and the executed Agreement shall be placed on file in the office of the Township Clerk.

Resolution

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

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

Abstain: (None
Absent: (None

Nays: (None

Cranbury Township Resolution # R 02-08-036

22-1692208
ID #

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES
LOCAL FINANCE BOARD

TOWNSHIP COMMITTEE MEETING
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Cranbury Township Resolution # R 02-08-036
(Continued)

APPLICATION CERTIFICATION

APPLICANT'S
NAME: TOWNSHIP OF CRANBURY

I, DAVID STOUT, MAYOR OF THE TOWNSHIP OF CRANBURY DO HEREBY DECLARE:

That the documents submitted herewith and the statements contained herein are true to the best of my knowledge and belief; and

That this application was considered and its submission to the Local Finance Board approved by the governing body of the Township on February 11, 2008; and

That the governing body of the Township has notified each participating local unit of its submission of this application to the Local Finance Board and has made available to each, a true copy of this application.

David Stout, Mayor

ATTEST:

Kathleen R. Cunningham, Clerk

Resolution
Consent Agenda

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

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

Nays: (None

Cranbury Township Resolution # R 02-08-032

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 02-08-033

WHEREAS, American Water Company has made an adjustment to Prologis' meter reading.

WHEREAS, the adjustments made created a credit balance on the customer's sewer account.

WHEREAS, a refund for the credit balance of \$697.00 should be issued.

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Cranbury Township Resolution # R 02-08-033
(Continued)

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, the above Sewer overpayment refunded to Prologis.

Cranbury Township Resolution # R 02-08-034

WHEREAS, the Tax Collector has determined, there were erroneous paid taxes which caused an overpayment on one parcel for 2007 property taxes,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury that the following 2007 erroneously paid property taxes be refunded:

BLOCK	LOT	ASSESSED TO	AMOUNT
21	8.13	Steven H. & Nancy M. Gray	\$ 3,558.31

Cranbury Township Resolution # R 02-08-035

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

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

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

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

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

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

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

Reports from Township staff and professionals

Ms. Waterbury, Township Attorney, reported on behalf of the New Jersey State League of Municipalities, she is participating in two (2) task forces established by the Commissioner of the State Department of Transportation. The task forces deal specifically with the use of our roads by large trucks. Ms. Waterbury explained, in addition to being an issue in Cranbury Township, this is an issue with numerous municipalities throughout New Jersey. With the Governor's proposed debt reduction proposal to increase tolls throughout New Jersey, the truck traffic could increase as much as 40% on the local roads throughout municipalities. Ms. Waterbury indicated she would be giving the Township updates as she attends the task force meetings. Ms. Waterbury reported

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Reports from Township Staff and Professionals (Continued)

the State Police are stepping up their enforcement efforts and a number of municipalities are responding. Ms. Smeltzer, Township Administrator, reported she, Josette Kratz, Planning Board Administrative Officer and Secretary and Mr. Preiss, Township Planner, had attended a meeting in Trenton at the Office of Smart Growth to look into what is involved for Plan Endorsement. Every Department of the State was represented at the meeting and spoke about Cranbury. They offered various types of help in funding and Mr. Preiss will be looking at what expenses are involved in the Plan Endorsement process for the Township. Ms. Smeltzer will get back to the Township Committee at a later date.

Ms. Cunningham, Clerk, made a recommendation to the Township Committee, reporting, presently there is a State Regulation under the New Jersey Administrative Code that allows Municipal Clerks to issue Bingo and Raffle Licenses; N.J.A.C. 13:47-1-1. Ms. Cunningham stated, the Code defines the issuing Authority as: "The governing body or municipality or a person to whom the municipal governing body has delegated authority, by ordinance the authority to approve the granting of raffle and bingo licenses". Ms. Cunningham referenced a problem recently at three consecutive Township Committee meetings when Messrs. Stannard and Stout were conflicted and the Township Committee did not have enough members present to approve the Raffle application for The Cranbury Lions Club. Ms. Cunningham stated she believes adopting an ordinance would alleviate a lot of problems. The Township Committee unanimously agreed and the ordinance will be introduced on first reading at the next meeting on February 25, 2008.

Reports from Township Boards and Commissions

There were no reports.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Mr. Dietrich Wahlers, 33 Hagerty Lane, stated he had asked last summer the cost of building the Township's affordable housing versus what income the Township receives for building the housing. Mr. Wahlers presented and discussed with the Township Committee members the figures he had calculated and an explanation of how he had arrived at those figures. Mr. Wahlers based his study on the recently-built 20-unit affordable housing site on Old Cranbury Road. Mr. Wahlers reported to build the 20 units the total cost, including both hard and soft costs was \$3,200,000. He reported he had checked with Steve Benner, Township Assessor on the land value and was told it is \$387,000, making the total \$ 3,587,000. He stated he then divided that figure by 20 units making the total cost per unit to be just short of \$ 180,000. Mr. Wittman reminded Mr. Wahlers the Township had received the land for nothing as part of a negotiated settlement years ago and he should not have figured the land into his equation. He added the Township also at that time had received the land to the South as preserved land. Mr. Wahlers explained the income from Mr. Benner calculations were derived from him taking a number of various warehouses with an estimated value of \$58.00 per square foot. The contribution the Township receives from the warehouses is 2%. \$101.16 per square foot is income from the warehouses. Mr. Wahler stated when you multiply the figure by 125,000 square feet for each unit (COAH requirements), it comes to \$145,000 giving the Township a \$35,000 on each unit. Mr. Wahlers asked how the Township plans to finance the cost of \$35,000 per unit and how much money is lost by the Township deciding not to have the developers build the units. Mr. Wahlers asked if the Township were to decide to have the developers build the units, could it ensure the high-quality of homes it now is able to have with Cranbury Housing Associates building the units. Mr. Wahlers added, with the new Third Round Rules, it had been reported they were talking of increasing from 2% to 3%. Also with the proposed Third Round Rules, the Township would have a substantial shortfall (going from \$ 145,000 per unit down to \$18,000 per unit). Ms. Waterbury, Township Attorney, stated she had recently attended a COAH meeting and was told Commissioner Doria had stated municipalities can pay for all of this through a

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Public Comment(Continued)

combination of grants, housing funds and private/public partnerships. Mr. Wittman stated if the Township had let developers build the affordable houses, the developers would have been eligible for a bonus density. Mr. Wittman added, that was one of the main reasons why the Township had not allowed the developers to take control of it. Mr. Wittman reported on COAH's Second Round, when the Township had built units at Village Park, there had been four (4) or five (5) developers who had planned to take the Township to task. The Township negated that from happening by purchasing the property at Village Park and building the units on it. Mr. Wittman stated, going forward the Township may have to look at different ideas. Ms. Waterbury added, under the new proposed Third Round Rules, developers would not be able to build the units themselves. In addition there is a density bonus built into the new rules. Mr. Wahlers asked if the non-residential developers would be made to build the affordable units themselves. Ms. Waterbury responded she did not believe they would. Mr. Stannard recommended the Township investigate every aspect of the new proposed rules as it would effect the Township's affordable housing obligations. Ms. Waterbury stated COAH has acknowledged their own numbers are not accurate pertaining to the warehouses, however, she did not know how COAH would remedy the problem. Mayor Stout indicated the Township is preparing a letter to address several issues it has with the proposed Third Round Rules. Mayor Stout thanked Mr. Wahlers for all his hard work in preparing the data. Mr. Peter Yale, 4 Griggs Road, stated he was speaking on behalf of the neighborhood concerning the affordable housing units slated for Route 130 and backing up to Ryan Road. The neighborhood did not wish to have Ryan Road as an access road from Route 130 into the development. Mayor Stout responded the Township Committee had discussed the issues several times and this issue should be brought before the Planning Board at the time the application is heard for the affordable homes. Mayor Stout added, when the discussion took place at the Township Committee meetings, the road was only to be used for emergency vehicles and children walking to and from school as well as adults having access to the Village area. Mayor Stout urged Mr. Yale and his neighbors to attend the Planning Board meetings. Mr. Yale asked if the Township knows when the affordable housing units would be built. Mayor Stout responded at this point the Township has no idea given the new deadline for the Third Round Rules to be adopted. Mr. Mark Berkowsky, Cranbury Housing Associates, stated the Township Committee, eight (8) committees ago asked Cranbury Housing Associates to develop and build affordable homes. Mr. Berkowsky explained Cranbury Housing Associates is a non-profit group made up of residents from Cranbury. Mr. Berkowsky further explained before they go before the Planning Board, they will have met with the residents of a neighborhood to hear their concerns and issues. Mr. Berkowsky added it is very early in the process and planning stages. Mr. Berkowsky addressed Mr. Wahler's question concerning having an outside developer build the units—15 to 20% of the costs is developer's profit. There is no developer's profit with Cranbury Housing Associates. If an outside developer were to build the units the cost of the units would be even higher.

Work Session

a. Update on Old Cranbury Road Affordable Housing Project

Mr. Mark Berkowsky, Cranbury Housing Associates, presented the Township Committee with an update on the progress of the new affordable housing units on Old Cranbury Road stating the project is on time and under budget. Mr. Berkowsky stated the weather had been very cooperative and occupancy permits should be issued at the end of February/beginning of March. Final paving and landscaping will not be done until April and therefore Temporary Certificates of Occupancy will be issued until those items are completed. Mr. Berkowsky reported there is a tremendous need for affordable housing; there were 600 applicants in the lottery pool for the twenty units. This past Sunday there had been an open house for the potential owners so they could see the units and determine the size of the units. Mr. Frank Piazza is now in the process of qualifying the individuals who were chosen. A ribbon cutting ceremony and town-wide open house will

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Work Session (Continued)

a. Update on Old Cranbury Road Affordable Housing Project (cont'd)

occur sometime in March. Mr. Berkowsky indicated as other units already built become vacant, there is a two to three-year waiting period. Mr. Wittman requested an informational sheet (financial fact sheet) be prepared by Cranbury Housing Associates for the Township and to educate the public. Mr. Berkowsky indicated he would prepare something.

Mayor's Notes

Mayor Stout appointed Anna Drago to First Alternate member of the Environmental Commission (12/31/09), Dietrich Wahlers, Class II member to the Planning Board (12/31/09), Allan Kehrt, Historic Preservation Commission, 2nd Alternate (12/31/09), Ann Solomon, Shade Tree Commission (12/31/12). Mayor Stout then asked the Township Committee to consider the following appointments and changes to the Zoning Board of Adjustment per a letter he had received from its Chairman, Dale Smith: Thomas Patterson to become a Second Alternate on the Zoning Board of Adjustment (12/31/08), Glenn Johnson a full member (12/31/08) and Mel Lehr the First Alternate (12/31/08). The Township Committee members unanimously agreed to the appointments.

On motion by Ms. Stave, seconded by Mr. Stannard and unanimously carried, the meeting adjourned at 8:15 p.m.

Kathleen R. Cunningham, Clerk