

TOWNSHIP COMMITTEE MEETING
APRIL 7, 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, Wayne Wittman and Mayor David J. Stout. Ms. Stave was absent. Also present was: 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.

Township Committee Minutes of January 26, 2008

On motion by Mr. Stannard, seconded by Mr. Wittman and unanimously carried (with Ms. Stave absent), the Township Committee Minutes of January 26, 2008 were adopted.

Township Committee Minutes of March 17, 2008

On motion by Mr. Wittman, seconded by Mr. Panconi and unanimously carried (with Ms. Stave absent) the Township Committee Minutes of March 17, 2008 were adopted.

Township Committee Minutes of March 24, 2008

On motion by Mr. Wittman, seconded by Mr. Stannard and unanimously carried (with Ms. Stave absent and Mr. Panconi abstaining), the Township Committee Minutes of March 24, 2008 were adopted.

Reports and Communications

--Mayor

Mayor Stout congratulated the Police Department on the receipt of \$30,000 in grant money. Mayor Stout reported the Township received notice from the U.S. Department of Forestry it has been named a "Tree City U.S.A", which extends the Township's designation as such for more than twenty years.

--Members of Committee

Mr. Panconi reported he had met the previous day with the Fire Company for the March monthly report. They had responded to a total of 17 calls; 12 were from 6:00 a.m. until 6:00 p.m. and five (5) calls were from 6:00 p.m. until 6:00 a.m. Of those calls, five (5) had occurred between 7:00 a.m. and 3:00 p.m. Two (2) of the seventeen calls were false alarms. Mr. Panconi reported the Fire Company had used the new "foam" feature on the new truck for a car fire and it had been of great assistance in fighting the fire.

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--Members of Committee (Continued)

Mr. Wittman reported he and Ms. Stave had met with the Board of Recreation Commissioners at their last Board meeting on March 27th to discuss some of the questions and concerns that had come up at the last Township Committee meeting on March 24, 2008. The question concerning park use and fees, etc. and the request to discuss the issue at an upcoming Township Committee Meeting and possibly readjusting them was discussed. The Recreation Board recommended, because the new policies and fees had just been enacted, waiting until after the Spring Season and before the Fall Season to review the entire process and fees, etc. At that time the Recreation Board will discuss if it is necessary to make any modifications. Mr. Wittman also reported concerning the issue of a "lack of communication." The Recreation Board felt the issue had been out in the open as part of the Recreation Master Plan process and no one should have been surprised concerning the enactment of the rules and fees. Mr. Wittman added, whenever the issue is discussed by the Township Committee, the Parks Board certainly would be welcome to come in to give its input or ideas. Mr. Wittman indicated the Recreation Board did raise a question as to what authority the Board actually has. Mr. Wittman asked that issue be clarified. He asked Ms. Waterbury, Township Attorney, to look into the issue over the next couple of months. Mr. Wittman also stated it is no longer necessary to have the process and fee issue on the Township Committee's next meeting agenda, given the Recreation Commission's recommendation to wait until after the Spring Season for a review of the process and fees.

Mr. Panconi stated he had been approached by Mr. Bob O'Mara, North Main Street, asking who has the authority to enforce non-use of a particular field. Mayor Stout recommended having a discussion of enforcement on the 28th so that the public can hear what the parameters are.

Mr. Stannard reported he had received a communication from The Cranbury Lions Club regarding the Annual Memorial Day Parade. The Township Committee has been asked again to march in the Parade on Monday, May 26, 2008.

Agenda Additions/Changes

There were no additions/changes.

Ordinances

First Reading

Cranbury Township Ordinance # 04-08-09

An Ordinance entitled, "Cranbury Township Ordinance # 04-08-09, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, MIDDLESEX COUNTY, NEW JERSEY, AMENDING CHAPTER 150 OF THE CODE OF THE TOWNSHIP OF CRANBURY, ENTITLED "LAND DEVELOPMENT," TO IMPLEMENT LOW IMPACT DEVELOPMENT NONSTRUCTURAL BEST MANAGEMENT PRACTICES FOR STORMWATER RUNOFF," was introduced for first reading. On motion by Mr. Stannard, seconded by Mr. Panconi, the Ordinance was passed on first reading by vote:

Ayes: (Panconi
(Stannard
(Stout
(Wittman

Abstain: (None
Absent: (Stave

Nays: (None

Public Hearing: June 9, 2008

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Cranbury Township Ordinance # 04-08-09
(Continued)

WHEREAS, Chapter 150 of the Code of the Township of Cranbury ("Code"), the Land Development Ordinance of Cranbury Township ("LDO"), regulates land use and development in the Township; and

WHEREAS, the Township Committee adopted a storm water management plan on July 21, 2005, as an amendment to the LDO; and

WHEREAS, it is necessary to amend the LDO to implement certain recommended low impact development best management practices for storm water runoff;

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

1. Subsections 150-43.B. (2) (c) (d) and (e) of the Code of the Township of Cranbury ("Code"), are hereby amended to read as follows (additions to text are underlined; deletions from text are in [brackets]):

§ 150-43.B. (2). Parking Area Layout.

(c) All parking areas shall be provided with permanent and durable curbing, not macadam or railroad ties, to assist in orderly parking and to separate pedestrian walkways from vehicular traffic. Parking areas upstream and tributary to vegetative filters or any other nonstructural BMP's used to disconnect the flow of storm water runoff over impervious surfaces shall have curbing flush with the finish surrounding grade to allow discharge to the nonstructural BMP's.

(d) Parking areas with a capacity of 40 spaces or more are required to provide landscaped dividers and islands which, in the aggregate, shall cover not less than 10% of the total uncovered or unenclosed parking area inclusive of all islands, aisles and other paved areas. The landscaping shall include at least one deciduous tree for each 10 parking spaces, and the trees shall be evenly distributed. The landscaped dividers and islands shall have flush curbing with wheel stops to allow for the discharge of storm water from impervious areas. See Figure 27.

(g) All parking lots with a capacity of 40 or more vehicles shall be designed to include pedestrian walkways throughout the lot constructed with pervious paving systems, as detailed in the New Jersey Storm water Best Management Practices Manual, to reduce non-point source pollution, reduce storm water runoff, and promote infiltration and groundwater recharge. Except when walkways cross aisles or driveways, they

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Cranbury Township Ordinance # 04-08-09
(Continued)

shall be raised at least six inches above the parking area and shall be protected by permanent and durable curbing or bumpers so as to assure a minimum width of four feet free of care overhangs. Walkways that cross aisles or driveways shall be delineated by a change in pavement texture or striping. See Figure 27.

2. Subsection 150-43.B. (5) of the Code, entitled "Minimum construction standards for parking lots," is hereby amended to read as follows (additions are underlined; deletions are in [brackets]):

§ 150-43.B. (5). Minimum construction standards for parking lots. Parking lot areas shall be constructed with a six-inch compacted depth stone sub base using NJDOT soil aggregate Type I-5, quarry process stone; four-inch compacted depth bituminous stabilized base course using NJDOT Mix I-2; and two inch compacted depth bituminous concrete using Type FABC-1 surface course, NJDOT Mix I-5. At the direction of the Township Engineer, sub grade material shall be removed and replaced with suitable material. For parking areas of 10 or fewer spaces, the Planning Board may approve construction specifications that differ from the above standard where the use and location warrant change. Where applicable and conducive existing site conditions are present, parking lot areas may be required to also be constructed with pervious paving systems, as detailed in the New Jersey Storm water Best Management Practices Manual, to reduce non-point source pollution, reduce storm water runoff, and promote infiltration and groundwater recharge.

3. Subsection 150-44.A. of the Code, entitled "Driveways," is hereby amended to add a new subsection (12), which shall read as follows (additions are underlined; deletions are in [brackets]):

§150-44.A. Driveways.

(12) Where applicable and conducive existing site conditions are present, driveways may be required to be constructed with pervious paving systems, as detailed in the New Jersey Storm water Best Management Practices Manual, to reduce non-point source pollution, reduce storm water runoff, and promote infiltration and groundwater recharge.

4. Subsection 150-45.B (7) of the Code is hereby amended to read as follows (additions are underlined; deletions are in [brackets]):

§150-45.B. Streets design standards.

(7) Each cul-de-sac shall provide a right-hand tangent turnaround at the end with a minimum radius of 50 feet to the outside

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Cranbury Township Ordinance 04-08-09
(Continued)

edge of the cartway or curb line and 60 feet to the outside edge of the right-of-way and shall be tangent preferably to the right side of the street. Landscaped islands surrounded by a thirty-foot-wide cartway are required in the center of cul-de-sac turnarounds. The curbing for the landscaped islands may be flush to the roadway to allow discharge of storm water runoff from surrounding impervious areas.

5. Subsections 150-56.C (1), (7), and (9) of the Code are hereby amended to read as follows (additions are underlined; deletions are in [brackets]):

§150-56.C. General standards. The landscaping plan shall conform to the following requirements, as applicable:

(1) Existing mature trees, hedge rows, tree lines, stone rows, [and] woodlands, and existing vegetation shall be preserved and included as a design element in the landscaping plan for all [new] development. Building placement shall preserve existing vegetation and the character of the site. Existing vegetated areas and natural resources of great importance and significant value (i.e. riparian corridors, floodplains, well head recharge areas, old growth woodlands, etc.) shall be preserved within conservation easements and/or deed restrictions.

(7) The landscaping plan shall provide for a variety and mixture of plant materials, taking into consideration their susceptibility to disease; colors by season; textures; shapes; blossoms; and foliage. Native species, as illustrated in the attached list, and not manicured turf shall be included in the design for the re-vegetation of a developed site.

(9) Low maintenance, dense, [G]ground cover and flat ground slope shall be used to prevent erosion and to provide a vegetative filter, in accordance with the standards of the New Jersey Storm water Best Management Practices Manual.

6. A copy of this ordinance will be referred to the Cranbury Township Planning Board for review following its introduction on first reading.

7. This ordinance shall take effect upon its passage and publication and upon the filing of a copy of said ordinance with the Middlesex County Planning Board, as required by law.

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Ordinance
Second Reading

Cranbury Township Ordinance # 03-08-08

A motion to enter an Ordinance entitled, Cranbury Township Ordinance # 03-08-08," A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$312,788.50 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$202,145 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 Mr. Wittman, seconded by Mr. Stannard, the Ordinance was adopted by a vote:

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Cranbury, in the County of Middlesex, New Jersey as general improvements (the "Township"). For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$312,788.50, including a \$100,000 State of New Jersey Department of Transportation Grant (the "State Grant") expected to be received and further including the aggregate sum of \$10,643.50 as the several down payments for the improvements or purposes required by the Local Bond Law. Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the portion of the costs of the improvements to be funded from the above referenced State Grant (\$100,000). The amount of the down payment appropriated is 5% of the \$212,788.50 in costs of the improvements which are not to be funded by the above referenced State Grant. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and in anticipation of receipt of the State Grant referenced in Section 1 hereof, negotiable bonds are hereby authorized to be issued in the principal amount of \$202,145 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

<u>Purpose</u>	<u>Appropriation And Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) Various municipal road improvements, including all work and materials necessary therefore and incidental thereto.	\$ 100,000 (includes a \$100,000 State of New Jersey Department of Transportation Grant)		10 years

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Cranbury Township Ordinance 03-08-08
(Continued)

<u>Purpose</u>	<u>Appropriation And Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
b) The acquisition of vehicles, including a mason dump truck and a sport utility vehicle for the Fire Official, including all related costs and expenditures incidental thereto.	\$86,000	\$81,700	5 years
c) Acquisition of various equipment, including a leaf vacuum, a live scan fingerprint scanner, rifles, shotguns and accessories, pistols, and rain gear for CERT members and the replacement of the Firehouse Heating System, Including all work and materials necessary therefore and incidental thereto and further including all related costs and expenditures incidental thereto.	\$67,638.50	\$64,255	15 years
d) Acquisition and installation of a network and server and phone service equipment, including all work and materials necessary therefore and incidental thereto and further including all related costs and expenditures incidental thereto.	\$25,000	\$23,750	7 years
e) Various improvements, Including the Boy Scout Room wood floor, Town Hall and the Public Works recycle shed, including all work and materials necessary therefore and incidental thereto.	\$28,250	\$26,835	10 years
f) Acquisition of various equipment, including a digital camera and printer and a mobile vision in-car camera, including all related costs and expenditures incidental thereto.	<u>\$ 5,900</u>	<u>\$5,605</u>	5 years

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Cranbury Township Ordinance 03-08-08
(Continued)

TOTALS	<u>\$ 312,788.50</u>	<u>\$202,145</u>
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The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

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

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

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

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 9.07 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 \$202,145, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

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Cranbury Township Ordinance 03-08-08
(Continued)

- (d) An aggregate amount not exceeding \$15,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or, if other than the State Grant referenced in Section 1 hereof, to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon 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.

Resolutions
Consent Agenda

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

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

Nays: (None

Cranbury Township Resolution # 04-08-062

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 # 04-08-063

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

TOWNSHIP COMMITTEE MEETING
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Cranbury Township Resolution # 04-08-063
(Continued)

RESOLUTION AUTHORIZING THE DISPOSITION OF SURPLUS PROPERTY

WHEREAS, Local Public Contracts Law, N.J.S.A. 40A:1-36 provides for the disposition of personal property owned by a municipality; and

WHEREAS, there are vehicles previously used by the Cranbury Township Police Department and various equipment as indicated on "Schedule A" which is attached; and

WHEREAS, the auction will be conducted in conjunction with the participants in the Cooperative Pricing System of Mercer/Middlesex No. 61;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the list of automobiles and equipment contained on "Schedule A" is hereby declared surplus property and is no longer needed for public use; and

BE IT FURTHER RESOLVED that the Township Clerk and Director of Public Works are hereby authorized to dispose of the property in accordance with the law by holding a public auction at 10:00 am. on April 19, 2008 at the Plainsboro Department of Public Works, 20 Woodland Road, Plainsboro, New Jersey.

Cranbury Township Resolution # R 04-08-065

A RESOLUTION AWARDDING A PROFESSIONAL SERVICES AGREEMENT TO CORNER
HOUSE FOR COUNSELING SERVICES

WHEREAS, the Township of Cranbury seeks to retain the services of a counselor to provide counseling services in connection with the Township's Municipal Alliance Programs and more specifically, to conduct weekly counseling chat groups with middle school students at Cranbury School; and

WHEREAS, Corner House has offered to provide said services to the Township through the end of this year in consideration for payment of a fee of \$40.00 per hour and for the not-to-exceed contract amount of \$10,080.00; and

WHEREAS, sufficient funds are available for this purpose; and

WHEREAS, the contract amount does not exceed the Township's bid threshold; 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 services agreement not exceeding the bid threshold without competitive bidding;

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 Corner House to provide counseling services in connection with the Township's Municipal Alliance Programs and more specifically, to conduct weekly counseling chat groups with middle school students at Cranbury School.
2. Corner House shall be paid a fee of \$40.00 per hour. The total contract amount shall not exceed \$10,080.00 and the agreement shall terminate on December 31, 2008.

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CRANBURY TOWNSHIP RESOLUTION # R 04-08-066

WHEREAS, the Township of Cranbury purchased a parcel in the Township of Cranbury, identified as Block 20, Lot 10.02 on July 27, 2007; and

WHEREAS, said parcel is tax-exempt;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury that the following 2007 3rd and 4th quarter and 1st and 2nd quarter 2008 tax payments are cancelled:

BLOCK	LOT	ASSESSED TO	TOTAL AMOUNT
20	10.02	Township of Cranbury	\$ 2,760.66

BE IT FURTHER RESOLVED, the following taxes also be cancelled due to taxes being assessed and billed for a billboard that is not located in Cranbury Township:

BLOCK	LOT	Qual	ASSESSED TO	TOTAL AMOUNT	
				1 st qtr Taxes	2 nd qtr Taxes
2.01	2.02	B01	Kerzner Assoc.	\$ 342.88	\$342.88

Cranbury Township Resolution # R 04-08-067

**RESOLUTION OF THE TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY**

A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT FOR TAX APPEAL
CONSULTING SERVICES TO SOCKLER REALTY SERVICES GROUP, INC.

WHEREAS, the Township of Cranbury ("Township") requires the services of a professional services real estate appraiser MAI to provide tax appeal consulting services for the calendar year 2008; and

WHEREAS, Sockler Realty Services Group Inc. submitted a proposal dated March 27, 2008 to perform those services; and

WHEREAS, the contract for said services shall be for an amount not to exceed ten thousand dollars (\$10,000); and

WHEREAS, funds are available for said services; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised.

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

1. Sockler Realty Services Group, Inc. ("SRSG") is hereby retained to provide tax appeal consulting services to the Township for the calendar year 2008, in accordance with the above-cited March 27, 2008 proposal.

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Cranbury Township Resolution # R 04-08-067
(Continued)

2. The Mayor and Township Clerk are hereby authorized and directed to execute a Professional Services Agreement with SRSG, subject to approval of the Township Attorney.
3. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), because it is for services performed by persons authorized by law to practice a recognized profession.
4. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Township.
5. A notice of this action shall be published in the official newspaper as required by law.

Cranbury Township Resolution # R 4-08-069

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR
MORRIS PROTINICK UNBANKED PARKING

WHEREAS, by letter dated March 14, 2008, Prologis has requested the release of their performance guarantee previously posted with the Township in accordance with Planning Board approval and

WHEREAS, the Township Engineer has, in a letter dated March 28, 2008 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Performance Bond	\$ 32,313.17
Cash	\$ 3,590.35

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

It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".

1. It hereby authorizes the release of performance guarantees set forth in the Township Engineer's letter referenced above.
2. The Township hereby accepts the public improvements, if any so designated pursuant to the Planning Board's approval.

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

- (a) Township Engineer
- (b) Township Chief Financial Officer
- (c) Andrew Kolb, Prologis
- (d) Township Attorney

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Cranbury Township Resolution # 04-08-070

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR
MORRIS PROTINICK BI 2 Lot 4.02

WHEREAS, by letter dated March 14, 2008, Prologis has requested the release of their performance guarantee previously posted with the Township in accordance with Planning Board approval and

WHEREAS, the Township Engineer has, in a letter dated March 28, 2008 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Maintenance Guarantee Cash \$ 5,441.00

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

It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".

- 1 It hereby authorizes the release of performance guarantees set forth in the Township Engineer's letter referenced above.
2. The Township hereby accepts the public improvements, if any so designated pursuant to the Planning Board's approval.

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

- (a) Township Engineer
- (b) Township Chief Financial Officer
- (c) Andrew Kolb, Prologis
- (d) Township Attorney

Cranbury Township Resolution # R 04-08-071

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

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

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

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants (for calendar year 2007) will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Committee of the Township of Cranbury to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

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Cranbury Township Resolution # R 04-08-071
(Continued)

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

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury that Cranbury Township hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Linda Scott to ensure that the application is properly filed; and

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

Resolution

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

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

Nays: (Wittman

Cranbury Township Resolution # R 04-08-064

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

WHEREAS, Governor Jon S. Corzine's proposed Fiscal Year 2009 budget identifies a shortfall in New Jersey State Police funding of \$ 20.5 million; and

WHEREAS, the Administration plans to start charging municipalities for State Police services, and doing so would negatively affect municipal budgets and thus require municipalities to raise local purpose taxes; and

WHEREAS, the aforementioned proposed budget calls for cuts in municipal aid which would also require municipalities to raise local purpose taxes; and

WHEREAS, Directive 15 from the Governor also requires municipalities to meet new security requirements in their courts, resulting in additional capital expenditures in municipal budgets while no State funding offsets are provided; and

WHEREAS, on February 22, 2007, many mayors, other elected and appointed municipal officials met with the Attorney General and State Police offering a solution to the State Police budget shortfall-namely, increasing surcharges on fines levied by the State Police; and

WHEREAS, P.L. 2007, c. 335 (C. 39:2A-36.1) allows the Motor Vehicle Commission Governing Board to increase the surcharges listed in that statute; and

WHEREAS, charging those who violate State statutes would fund the State Police Budget shortfall in lieu of relying on New Jersey property taxpayers is a sensible solution to address the problem; and

TOWNSHIP COMMITTEE MEETING
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Cranbury Township Resolution # R 04-08-064
(Continued)

WHEREAS, on March 19, 2008, mayors, elected and appointed officials met again with the Governor's Deputy Chief of Staff, other members of the Administration, and the State Police, reiterating this fair solution, and recommended that the Administration set the appropriate surcharge rates that would cover the shortfall, as well as that monies collected may also be returned to communities to cover additional court security expenses;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Cranbury, County of Middlesex, hereby resolves that it endorses the sensible solution proposed to raise surcharges on motor vehicle fines rather than rely on New Jersey property taxpayers to fund any State Police shortfall; and

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Governor, the members of the State Legislature and the New Jersey League of Municipalities.

Resolution

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

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

Nays: (None

Mayor Stout stated he was not against The Family Leave Act as a policy, rather against the manner in which it is not being funded.

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 04-08-068

WHEREAS, there is presently before the Legislature Assembly Bill 873, which mandates the extension of temporary disability payments of paid family leave of up to six (6) weeks to employees of all public and private employers in the State, to be funded by the assessment to commence at .1% on the wages of each employee and to increase thereafter to .18% by the year 2010; and

WHEREAS, New Jersey public employers and municipalities are already laboring under numerous State mandates as to leave and benefits to public employees, which are effectively driving the tax rates up on taxpayers funding these benefits, and adding another State mandated Leave benefit will only increase the cost of administration and operation of public entities and result in increased taxes being passed onto the taxpayer; and

WHEREAS, most public employees are represented by Collective Bargaining Unions and if such paid family leave is deemed needed by such public employee groups, the benefit could be negotiated with various public employers through contract negotiations, in exchange for reduction in other benefits; and

TOWNSHIP COMMITTEE MEETING
APRIL 7, 2008

Cranbury Township Resolution # R 04-08-068
(Continued)

WHEREAS, the proposed Bill would also impact private employees and businesses in this State by creating another deduction/tax on the wages of employees and another administrative and operational requirement and problem to businesses, small and large, all at a time when New Jersey is rapidly losing business and jobs to other States and other countries which are more competitive and are not creating additional business/employee taxes and operational problems, and

WHEREAS, although the employee tax purported to fund this Leave Benefit is now put forward at a relatively low rate, the simple mathematics shows the unreality of that purported employee tax as to fund the possible costs of this mandate and, based on past experience with similar State programs or mandates, the costs and the tax burden on employees and eventually businesses and public entities will only increase and will shortly constitute a significant additional burden on the taxpayers; and

WHEREAS, it appears clear that the potential adverse impacts on public entities, the tax implications and potential burden on employees, and the adverse competitive impact on business and industry in the State of New Jersey at a time of already severe taxation and competition for business and jobs has not been adequately studied or quantified, and any Legislative pursuit of this proposal at this time is inappropriate and detrimental to the citizens of the State.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the Governor and State Legislators are urged to reconsider and table Assembly Bill 873, or any similar Bill imposing a requirement of paid family leave and an additional tax upon employees and workers in the State of New Jersey.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Governor, the State Legislators representing Cranbury Township, the Clerk of the State Senate and Assembly for appropriate distribution, and to the New Jersey League of Municipalities.

Reports from Township Staff and Professionals

Ms. Smeltzer reported she had received two memos from the Tax Collector regarding taxes. Ms. Smeltzer reported the first memo dated February 28th concerns an individual whose taxes had been paid by a mortgage company and, upon taking up residence in the Township, stopped having the mortgage company hold his tax monies in escrow. The mortgage company never notified him that his taxes were due and therefore he had to pay a \$9.59 interest fee for being late. The individual was requesting the delinquent notice and interest fee be refunded to him. The Township Committee unanimously agreed if the mistake is the taxpayer's, then the Township would not be responsible, denying the taxpayer's request. Ms. Smeltzer reported the second memo dated March 6, 2008 concerned a taxpayer who had paid his taxes on time. The bank the Township deposited the funds in could not read the imprinting on his check and returned it to the Tax Collector. Ms. Smeltzer recommended because it was the Township's bank and the resident had paid on time, the interest fee be waived and the returned check fee be returned. Mr. Andre Moutenot, the resident involved, asked that he speak on the issue; Mr. Moutenot indicated the problem was with the U.S. Postal Service and not the Township's bank. Mr. Moutenot explained he was out of the Country when the check had been returned and had been actually "mangled" by the U.S. Postal Service. Mr. Stannard made the motion, seconded by Mr. Panconi and unanimously carried (with Ms. Stave absent) that Mr. Moutenot had paid his taxes early and through no fault of his own, the cancelled check could not be processed (due to the U.S. Postal Service's destruction of said check), nor could Mr. Moutenot address the problem, being out of the Country, therefore the fees and any charges are waived.

Ms. Smeltzer asked the status of the Township taking over the remainder of the "Updike" property from Sharbell Developers. Someone from the Public had notified her that the property was now

TOWNSHIP COMMITTEE MEETING
APRIL 7, 2008

Reports from Township Staff and Professionals (Continued)
Ms. Smeltzer (cont'd)

in the Township's possession and were interested in farming the property. Ms. Smeltzer indicated Ms. Cunningham, Clerk, had checked her records and also had checked with the Assessor's Office and the Township has not to date received the Deed of Dedication from the County. Ms. Waterbury, Township Attorney, reported the Township had not wanted to facilitate the Deed due to work still needing to be done by the Developer. Ms. Smeltzer asked if, once the Deed is effectuated, is it the Township's plan is to have the property farmed. Ms. Waterbury added, if the farmer is presently farming the parcel, he would be allowed to farm until the new season and then would have to enter into a new Agreement with the Township (once the Deed of Dedication is facilitated). Mr. Wittman indicated that is the plan, however, until such time the Township decides it needs an additional field for recreation use, etc.

Reports from Township Boards and Commissions

Mr. Mark Berkowsky, Cranbury Housing Associates, reported the Township is going to receive a \$300,000 grant from the County Home Funds for the new affordable housing units on Old Cranbury Road. This was through the efforts of the newly hired consultant, MGB Housing. Mayor Stout added the consultant is looking for additional grant monies for the Township to apply for.

Work Session

There were no items for the Work Session.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Mr. Michael Dulin, Wynnewood Drive, thanked the Township Committee for all the good work done over this past year. Mr. Dulin gave as an example, the report Mr. Berkowsky had just given about the \$300,000 grant and commended the Township Committee for obtaining the grant.

Mayor Stout stated he wanted everyone to know, before anyone asks, that the Township is now aware the PNC Bank Building across the Street is for sale. Mayor Stout stated the Township had been trying for months to get information about the building and now that the sign has gone up it will be making an inquiry.

Mr. Richard Kallan, Wynnewood Drive, asked about West Windsor bragging about there being only one (1) of six (6) municipalities with an extremely high bond rating and asked if Cranbury Township has such a high rating. Mayor Stout responded he did not know, however, he believes that Cranbury Township does in fact have a high rating. Ms. Smeltzer indicated she would find out what the Township's bond rating is.

There being no further comments, the Mayor closed the public part of the meeting.

Mayor's Notes

Mayor Stout reported this Thursday, April 9, 2008 and Friday, April 10, 2008, he planned on attending the New Jersey Conference of Mayors' Convention in Atlantic City, for the main purpose to hear about and engage in some dialogue about COAH. Mayor Stout stated representatives from the State would also be there and he hoped to come back with some additional new information concerning COAH issues.

On motion by Mr. Stannard, seconded by Mr. Wittman and unanimously carried, the meeting adjourned at 7:40 p.m.

Kathleen R. Cunningham, Clerk