

TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

The regular meeting of the Township Committee of the Township of Cranbury was held at 7:00 p.m. in the Town Hall Meeting Room. Answering present to the roll call was: Township Committee members: Thomas F. Panconi, Jr., Richard Stannard, Wayne Wittman and Mayor David J. Stout. Ms. Stave arrived at 7:10 p.m. Also present was: Trishka Waterbury, Esquire, Attorney 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 1, 2006 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 1, 2006.
- (3) Was filed on December 1, 2006 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 February 26, 2007

On motion by Mr. Stannard, seconded by Mr. Panconi and unanimously carried (Ms. Stave was absent); the Regular Committee Minutes of February 26, 2007 were adopted.

Reports and Communications

--Mayor

Mayor Stout reported he had met the previous week with Mr. Richard Preiss, Township Planner and the Library Board to discuss the Library's service to the Township. The Library Board presented the results of the Godfrey Survey conducted last year. The report had a very high customer satisfaction base. The Board also asked what type of action in 2007 would be appropriate in retaining a qualified person to review its space utilization and what can be done better with the existing space.

Mayor Stout also reported he had attended on March 1, 2007(at his own expense), the "District 12 Day in Washington, D.C.", sponsored by Congressman Rush Holt. Mayor Stout reported he had run into Governor Corzine early in the a.m. before boarding the train to Washington and thanked him for the money the Township had received. Congressman Holt and his staff had held a very informative event. Mayor Stout reported he had passed information on to Police Chief Jay Hansen from the U.S. Justice Department. The U.S. Department of Transportation gave a presentation on growing congestion in the United States and Congressman William Pascrell, from Passaic County, gave a speech. Congressman Sam Farr, California, a member of the Appropriations Committee, spoke about poor integration among the various levels of government. Congressman Farr also highlighted grant monies being available to municipalities from the Federal government and gave the web site, grant.gov to obtain the list of grants available. Congressman Earl Blumenauer, former Mayor of Portland Oregon, gave a very informative presentation on energy conservation, mentioning the Federal government is the largest consumer of energy in the world and occupies more office space than any one entity in the United States (more than 3 million square feet). He called for a need to decrease the energy footprint that each entity and individual has. Assistant Director of the F.B.I.'s Joint Counterterrorism Division,

Reports and Communications

TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

Reports and Communications  
--Mayor (Continued)

Joseph Billy, Jr., former New Jersey resident, spoke concerning the two greatest types of threats facing the United States—the rekindling of the Al Qaeda group and “home-grown extremists”. He also spoke about the radicalization of youths; gangs representing a disenfranchised group of individuals that terrorists can get common threads with. Mayor Stout also stated the Northeast Mid/West Institute gave a presentation concerning opportunities every one can make concerning energy efficiency.

--Members of Committee

Mr. Panconi reported he had held his monthly meeting with the Fire Company to review calls for February: 15 calls, 12 between 6:00 a.m. and 6:00 p.m., three (3) calls from 6:00 p.m. to 6:00 a.m. and four (4) calls between 7:00 a.m. and 3:00 p.m. Three (3) assists to other stations, one false alarm at 1265 South River Road, Tommy Hilfiger. Mr. Panconi explained the false alarm had been caused by a maintenance person opening up a fire hydrant valve and asked that Mr. Witt, Administrator, follow up with the Fire Official regarding the incident and give a report back to the Township Committee. Mayor Panconi stated the new fire rescue/pumper truck is still on schedule for delivery in June. The Fire Company had held an ice rescue drill and had had their monthly meeting.

Mr. Panconi also reported one of his goals for this year was to work to get the “No Further Action” letter for the Wright South property from the New Jersey Department of Environmental Protection and he had sought the help of Assemblywoman Linda Greenstein to do so. Ms. Marcelli, Township Engineer, had received notification the Township would be receiving the letter shortly.

--Subcommittees

Mr. Stannard reported the Personnel subcommittee had met to review a large number of resumes which had been received by the Clerk to fill the position of Township Administrator position upon Mr. Witt’s retirement. Mr. Stout and Mr. Stannard had narrowed the resumes down to about ten (10), with three (3) very strong candidates. The Township Committee will be reviewing all thirteen resumes and start the interview process shortly.

Agenda Additions/Changes

There were no changes or additions to the Agenda.

Ordinances

First Reading

Cranbury Township Ordinance 03-07-03

An Ordinance entitled, Cranbury Township Ordinance # 03-07-03, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY IN MIDDLESEX COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TO ENTER INTO A LEASE AGREEMENT WITH THE CRANBURY LIONS CLUB FOR THE USE OF BARNS LOCATED ON BARN PARK (CRANBURY NECK ROAD/BLOCK 21, LOT. 411”, was introduced for first reading. On motion by Ms. Stave, seconded by Mr. Wittman, the Ordinance was passed on first reading by vote:

Ayes: (Panconi  
(Stave  
(Wittman

Abstain: (Stannard & Stout  
Absent: (None

Nays: (None

Public Hearing: March 26, 2007

TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

Cranbury Township Ordinance # 03-07-03  
(Continued)

WHEREAS, the Township of Cranbury ("Township") is a municipal corporation of the State of New Jersey, having its principal offices located at 23A North Main Street, Cranbury, New Jersey 08512 ("Township"); and

WHEREAS, the Township is the owner of a .978+ - acre parcel located on Cranbury Neck Road and designated as Block 21, Lot 4.11 on the Cranbury Township Tax Map ("Barn Park"); and

WHEREAS, there are two historic agricultural buildings presently existing on Barn Park referred to as the wagon house and the corncrib (collectively, "the barns"), as more particularly described in a letter from the New Jersey Barn Company to former Township Administrator Frederick C. Carr, dated January 31, 2004; and

WHEREAS, the barns are in various states of disrepair and require preservation and/or repair; and

WHEREAS, The Cranbury Lions Club, having an address of P.O. Box 365, Cranbury, New Jersey 08512 ("Lions Club") is a non-profit organization with tax-exempt status pursuant to State and federal law that comprises members who volunteer their efforts to perform various charitable community services in Cranbury Township; and

WHEREAS, approximately 70% of the charitable contributions that the Lions Club raises is distributed in Cranbury Township to such organizations as the Cranbury Arts Council, Cranbury Boy Scouts and Cub Scouts, Cranbury Educational Foundation, Cranbury Fire Company, Cranbury First Aid Company, Cranbury Girl Scouts, Cranbury Historical Society, Cranbury Little League, Cranbury Public Schools Quest Program, Cranbury Recreation Committee, Disaster Relief Fund, Friends of the Library and Golden Age Neighbors of Cranbury; and

WHEREAS, the Lions Club wishes to preserve the wagon house and corncrib, and to that end has offered to donate the services of a licensed, insured contractor to make the repairs necessary to preserve the barns; and

WHEREAS, in exchange, the Lions Club wishes to use the wagon house and corncrib for storage and other purposes, such as the storage of parade equipment and floats; and

WHEREAS, Barn Park is unfunded parkland subject to the regulations promulgated by the New Jersey Department of Environmental Protection, Green Acres Program ("Green Acres"), set forth at N.J.A.C. 7:36-1.1 *et seq.*; and

WHEREAS, said regulations allow municipalities to enter into leases or use agreements that support or promote the use of unfunded parkland for recreation and conservation purposes without the prior approval of Green Acres, provided the agreement strictly complies with the conditions and limitations set forth at N.J.A.C. 7:36-25.13; and

WHEREAS, Green Acres has advised the Township that the storage of parade equipment and floats is considered a form of outdoor recreation; and

WHEREAS, the Lions Club's use of the barns will not interfere with the public's use of or access to Barn Park; and

TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

Cranbury Township Ordinance # 03-07-03  
(Continued)

WHEREAS, N.J.S.A. 40A:12-14 permits a municipal corporation to lease to a non-profit organization for a public purpose real property that is owned, but not then needed, by said municipal corporation; and

WHEREAS, one such public purpose is the promotion of the health, safety, morals and general welfare of the community; and

WHEREAS, the Township Committee finds that the activities the Lions Club engages in, and for which it will be using the barns, promote the health, safety, morals and general welfare of Cranbury's residents; and

WHEREAS, the Township Committee also finds that the proposed repair of the barns will benefit the public; and

WHEREAS, at this time, the Township does not have a municipal need for the barns;

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

1. The factual recitals contained in the foregoing preamble are incorporated herein as if fully restated.

2. Pursuant to N.J.S.A. 40A:12-14(c) and N.J.A.C. 7:36-25.13, the Township Committee of the Township of Cranbury, Middlesex County, New Jersey, does hereby authorize the Township of Cranbury ("Township") to enter into a lease agreement with the Cranbury Lions Club ("Lions Club") for the use and occupancy of the wagon house and corncrib located on Township-owned property known as "Barn Park," situated on Cranbury Neck Road and designated on the Cranbury Township Tax Maps as Block 21, Lot 4.11, for the purpose of dismantling, preserving, and/or restoring same, then using them for storage and other purposes consistent with the above-referenced statute and regulations. Said agreement shall be subject to the following essential terms:

- a. Pursuant to N.J.A.C. 7:36-25.13(b) (4) and (5), the initial term of the Agreement shall be twenty-four years and eleven months, and unless terminated or renegotiated by the Township or Lions prior to the expiration thereof, shall be automatically renewed under the same terms, covenants, conditions and provisions for additional five-year terms, not to exceed a total term of fifty years;
- b. The consideration due to the Township for the Agreement will be One Dollar (\$1.00);
- c. Pursuant to N.J.S.A. 40:12-14(c), the Lions Club will submit to the Township Administrator, no later than December 31<sup>st</sup> of each calendar year during which the Agreement is in effect, a written report setting forth: (1) the uses to which the leasehold was put during that year; (2) the activities the Lions Club undertook in furtherance of the public purpose for which the leasehold was granted; (3) the approximate value or cost, if any, of such activities; and (4) an affirmation of its continued tax-exempt status pursuant to both State and Federal law; and
- d. The Agreement will be subject to and comply in all respects with the requirement of the New Jersey Department of Environmental Protection, Green Acres Program, as set forth at N.J.A.C. 7:36-25.13.

TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

Cranbury Township Ordinance # 03-07-03  
(Continued)

3. Pursuant to the requirements of N.J.S.A. 40A:12-14(c), the Township Administrator is hereby designated as the authorized representative of the Township, responsible for enforcing the terms and conditions of the Agreement.

4. The Township Administrator and Clerk are hereby authorized and directed to sign on behalf of the Township the above-referenced Lease Agreement, a copy of which is on file in the Township Clerk's Office, or such other substantially similar agreement, the terms and form of which have been reviewed and approved by the Township Attorney in consultation with the Mayor and Township Administrator.

5. The Mayor, Clerk, Administrator and other appropriate staff and officials are hereby authorized and directed to undertake any and all other acts and execute any and all other documents proper and necessary to effectuate the terms hereof.

6. This Ordinance will take effect upon final adoption and publication, as provided for by law.

Resolutions  
Consent Agenda

Mr. Stannard spoke concerning Cranbury Township Resolution # R 03-07-055, explaining this Resolution was being considered to cancel outstanding checks that have not been cashed in over a year and in some cases, the funds were put back in to the Township's General (Surplus) Fund.

Ms. Waterbury, Township Attorney, explained Cranbury Township Resolution # R 03-07-060 was being considered due to a condemnation by Middlesex County; the Township made a claim against the property and was able to get the back monies owed for taxes.

Mayor Stout stated Cranbury Township Resolution # R 03-07-061 was being considered as Corner House provides group help services to the Municipal Alliance Commission.

Ms. Waterbury, Township Attorney, explained Cranbury Township Resolution # R 03-07-062 is a Developer's Agreement between Trammel Crow and the Township for a new hotel.

Mayor Stout reported Cranbury Township Resolution # R 03-07-065 was being considered to support continued funding for the Garden State Preservation Trust Fund at the request of the Stony Brook Millstone Water Shed.

Cranbury Township Resolution # R 03-07-055

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 03-07-056

WHEREAS, Elizabethtown Water Company has made an adjustment to K Hovnanian's Four Seasons meter reading.

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

WHEREAS, a refund for the credit balance of \$5,090.25 should be issued.

TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

CRANBURY TOWNSHIP RESOLUTION # R 03-07-056  
(Continued)

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, the above Sewer overpayment refunded to K Hovnanian's Four Seasons.

CERTIFICATION

I, Kathleen R. Cunningham, Township Clerk of the Township of Cranbury, hereby certify that this is a true copy of a resolution adopted at a regular meeting on March 12, 2007.

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

CRANBURY TOWNSHIP RESOLUTION # R 03-02-057

WHEREAS, Elizabethtown Water Company has made an adjustment to Prologis Trust's meter reading.

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

WHEREAS, a refund for the credit balance of \$2,164.25 should be issued.

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

CERTIFICATION

I, Kathleen R. Cunningham, Township Clerk of the Township of Cranbury, hereby certify that this is a true copy of a resolution adopted at a regular meeting on March 12, 2007.

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

Cranbury Township Resolution # R 03-07-058

RESOLUTION CANCELING OUTSTANDING CHECKS

WHEREAS, the Chief Financial Officer has requested that checks outstanding for more than a year be cancelled; and

WHEREAS, the Chief Financial Officer has advised that it would be appropriate for the Township Committee to authorize the cancellation of said checks as follows:

**RECREATION TRUST ACCOUNT  
1<sup>ST</sup> CONSTITUTION BANK  
ACCOUNT # 2000031001**

1073	\$500.00	12/05	Cranbury Soccer Club
696	\$287.50	7/02	Snakes n Scales and Turtle Tales
1064	\$110.00	10/05	Hom Allen

**CAPITAL CHECKING ACCOUNT  
1<sup>ST</sup> CONSTITUTION**

TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

Cranbury Township Resolution # R 03-07-058  
(Continued)

**ACCOUNT # 8000288843**

1300	\$7200.00	4/05	Prologis Trust
------	-----------	------	----------------

**CURRENT CHECKING ACCOUNT  
1<sup>ST</sup> CONSTITUTION BANK  
ACCOUNT # 2050121212**

72907	\$269.46	8/04	Cranbury Paint & Hardware
73581	\$18.86	1/05	Times
74049	\$8564.22	5/05	Prologis Trust
74467	\$20.00	8/05	Cranbury Business
74786	\$524.00	11/05	NJ American Water
74875	\$422.28	11/05	Trap Rock Industries

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Cranbury, County of Middlesex, hereby authorizes the cancellation of said checks.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the Chief Financial Officer.

CERTIFICATION

I certify the above to be a true copy of a Resolution adopted by the Township Committee of the Township of Cranbury at a meeting held on February 26, 2007.

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

Cranbury Township Resolution # R 03-07-060

WHEREAS, the Tax Collector has received a check for the redemption of municipal lien #187, Block 14, Lot 5 and Block 14.01, Lot 1 assessed to Dominick DiFlorio; and

WHEREAS, pursuant to an order issued on January 25, 2007 by Judge Longhi, the monies represent taxes owed by Dominick DiFlorio together with interest accrued thereon in the amount of \$13.34 per day for each day after November 27, 2006, totaling 88 days of interest payments on the outstanding amount, ending on February 23, 2007;

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Cranbury that said lien is redeemed in the amount of \$27,846.23.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certifies that this is a true copy of a Resolution, adopted by the Township Committee at a regular meeting held on March 12, 2007.

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

CRANBURY TOWNSHIP RESOLUTION # R 03-07-061

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

**A RESOLUTION AWARDDING SERVICES AGREEMENT TO CORNER HOUSE**

TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

CRANBURY TOWNSHIP RESOLUTION # R 03-07-061  
(Continued)

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 \$7,500.00; 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 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 \$7,500.00 and the agreement shall terminate on December 31, 2007.

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 March 12, 2007.

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

Cranbury Township Resolution # R 03-07-062

TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

RESOLUTION APPROVING DEVELOPER'S AGREEMENT BETWEEN THE TOWNSHIP OF CRANBURY AND COMSLEEP, LLC

WHEREAS, on February 23, 2006, the Cranbury Township Planning Board granted Amended Preliminary and Final Site Plan Major Site Plan with Variances and Design Waiver Approval to Comsleep Properties, LLC for property designated on the Cranbury Tax Maps as Block 6, Lots 5, 6 and 10, as memorialized in Resolution PB 097-05; and

WHEREAS, condition 7 mandates said approval requires Comsleep LLC ("Comsleep") to enter into a Developer's Agreement with the Township of Cranbury for its fair share contribution of existing sanitary sewer improvements; and



TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

CRANBURY TOWNSHIP RESOLUTION # R 03-07-062  
(Continued)

WHEREAS, the Township Attorney and Township Engineer have reviewed the Developer's Agreement provided by Comsleep, a copy of which is on file in the Township Clerk's office, and recommended that same be approved;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury, that the Mayor and Clerk be and are hereby authorized to execute on behalf of the Township the above-referenced Developer's Agreement, or such substantially similar agreement that has been approved by the Township Attorney and the Township Engineer as to substance and form.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of Township of Cranbury, do hereby certify that the foregoing is a true and correct copy of a Resolution passed by the Township Committee of the Township of Cranbury at its meeting held on March 12, 2007.

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

Cranbury Township Resolution # R 03-07-065

WHEREAS, continued investment in open space and farmland preservation is vitally important to the State, as it enhances New Jersey's economy, safeguards its remaining natural, agricultural and cultural resources and preserves its character; and

WHEREAS, New Jersey continues to face incredible pressure from development, losing nearly 50 acres of open space daily to new development projects; and

WHEREAS, the Garden State Preservation Trust provides a match for open space taxes collected by all 21 counties and more than 225 municipalities; and

WHEREAS, protecting open spaces and improving urban natural areas stabilizes local property taxes and revitalizes communities; and

WHEREAS, since its creation in 1998, the Garden State Preservation Trust has enabled the State of New Jersey, its local governments, and nonprofits to acquire over 432,000 acres of parks, open space and farmland; and

WHEREAS, the Garden State Preservation Trust is essential not only to the State's conservation programs, but also to the work of counties, municipalities and nonprofit organizations by providing grants and low interest loans to help preserve land while protecting natural resources and farmland for future generations; and

WHEREAS, even many of the places already protected—our state and local parks—are threatened by inadequate levels of funding for operation, maintenance and stewardship; and

WHEREAS, the Garden State Preservation Trust is virtually depleted, with funds to be completely exhausted in 2007 despite the continued need for the programs it makes possible;

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

1. The Township supports the renewal and strengthening of the Garden State Preservation Trust, to provide \$325-million annually for New Jersey to continue its programs to acquire open space and farmland and improve historic sites and

TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

Cranbury Township Resolution # R 03-07-065  
(Continued)

2. preserved lands. This amount includes \$225-million a year for acquisition and \$100-million a year for capital projects, which could be provided by bonding an annual dedicated stream of approximately \$150-million.
3. The Township supports the dedication of \$56-million annually to establish a stable source of funding for operation, maintenance and stewardship for parks, recreation and natural areas.
4. The Township Clerk is hereby authorized to provide a copy of this Resolution to the following:

The Honorable Jon Corzine, Office of the Governor, P.O. Box 001,  
Trenton, New Jersey 08625  
Senator Peter Inverso  
Assemblywoman Linda Greenstein  
Assemblyman Bill Baroni  
The Trenton Times, 500 Perry Street, Trenton, New Jersey 08629  
The Cranbury Press, P.O. Box 309, Dayton, New Jersey 08810

**CERTIFICATION**

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution which was adopted by the Township Committee at a regular meeting on March 12, 2007.

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

**Public Hearing on 2007 Budget**

Cranbury Township Resolution # R 02-07-034, the 2007 Budget for the Township of Cranbury, was introduced at the February 12, 2007 Township Committee meeting.

**CRANBURY TOWNSHIP RESOLUTION R-02-07-034  
2007 MUNICIPAL BUDGET**

of the Township of Cranbury, county of Middlesex for the fiscal year 2007.

**Revenue and Appropriation Summaries**

Summary of Revenues	Anticipated 2007	2006
1. Surplus	\$1,065,000.00	\$2,317,000.00
2. Total Miscellaneous Revenues	\$4,500,960.55	\$4,853,040.40
3. Receipts from Delinquent Taxes	\$107,000.00	\$118,900.00
4. a) Local Tax for Municipal Purposes	\$6,496,322.24	\$5,264,726.60
b) Addition to Local District School Tax		
Tot Amt to be Raised by Taxes for Mun Budget	\$6,496,322.24	\$5,264,726.60
Total General Revenues	\$12,169,282.79	\$12,553,667.00
Summary of Appropriations	2007 Budget	2006 Budget
1. Operating Expenses: S&W	\$2,909,105.00	\$2,624,801.00
Other Expenses	\$4,492,940.00	\$4,391,116.86

TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

Cranbury Township Resolution # R 03-07-034  
(Continued)

2. Deferred Charges & Other Appropriations	\$433,636.10	\$322,381.00
3. Capital Improvements	\$60,000.00	\$0
4. Debt Service (include for School Purposes)	\$4,023,601.69	\$4,965,368.14
5. Reserve for Uncollected Taxes	\$250,000.00	\$250,000.00

**Public Hearing on 2007 Budget**

Total General Appropriations	\$12,169,282.79	\$12,553,667.00
Total Number of Employees	82	70

**Balance of Outstanding Debt**

Interest	\$818,075.25
Principal	\$3,205,526.44
Outstanding Balance (12/31/06)	\$25,156,521.41

Mayor Stout opened the public hearing on the 2007 Budget at 7:15 p.m.

Mayor Stout thanked all who had participated in developing a fiscally-sound Budget, focusing on meeting the Township's needs in a sustainable manner, with an eye towards changes that are occurring, both in the surrounding communities and the Township.

Following are remarks given by the Chief Financial Officer, Denise Marabello:

"Good evening. My name is Denise Marabello. I am the Chief Financial Officer for Cranbury Township. Tonight we are here to adopt the 2007 Municipal Budget. The decisions concerning this budget were a collaborative effort between me, the Township Committee, Administrator, Staff and volunteers to our Commissions and Boards. In a year when tax revaluation takes effect all those involved in the budget preparation worked very hard to come up with a fiscally sound budget that funds Township needs while paying down debt.

As you can see from the handout, the proposed Total Municipal Budget for 2007 is \$12,239,897. Combining revenues, state aid and grants and with the use of \$1,227,859 in surplus the Amount to be Raised by Taxes is \$6,483,164. The Amount to be Raised by Taxes has increased by \$1,218,430 from 2006 relative to using in 2007 \$1,089,141 less in surplus in 2007. This yields a Municipal Tax Rate of 35 cents which is an increase of 7 cents from 2006.

There were other factors contributing to this 7 cent increase. Some were controllable and others were not. As you can see from the next page those expenditures which could be controlled by the Township were decreased from 2006 to 2007. However, the costs beyond Township's control, such as pension and insurance costs, as well as the amount of money which we are required to give the Public Library, show a large increase from 2006 to 2007.

The Adjusted Budget is \$10,015,003.56, which is the total budget of \$12,239,897.00 less \$2,244,893.44. The \$2,244,893.44 represents money which we have collected and will now use to pay off notes. We have broken down the adjusted budget (or what we consider the Operating budget) by the major functions which keep our Town running. These are Administrative Staff and Professionals, Public Safety, Public Services, Government Mandated Expenses, Debt and Utilities.

TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

Cranbury Township Resolution # R 03-07-034  
(Continued)

**Public Hearing on 2007 Budget**

Denise Marabello's remarks (Continued)

We continue each year to pay down additional debt and to control spending which would further increase our debt. The expenses from 2006 to 2007 are remaining relatively steady in most areas.

We are estimating the 2007 total tax rate to be \$1.45 per \$100 of your new assessed value. This is an estimate because we do not have final tax rates from the School or County.

Cranbury strives to maintain its quality services while allowing the Township to function in an environment with increasing expenses that are beyond our control. We have worked very hard to come up with a budget in 2007 that will help Cranbury to continue to grow while actively managing the tax rate".

Mr. Dave Cook, North Main Street, thanked everyone for working on the Budget and stated the motivation for his presence was due to feeling he had been affected more than others, with an increase in taxes of over 70% from last year. He explained there is a lot of incorrect information out in the public and he asked for an explanation on where his tax monies were going. Mr. Cook asked how the Township was going to arrive at the tax rate of \$1.45. Mr. Steve Benner, Tax Assessor, responded the municipal rate had not been set yet and the figure that was mentioned by the public was not correct (the County had not yet set the Township's tax rate).

Ms. Carlene Reyes, Bergen Drive, asked if the Township's Budget were the same as last year, what the tax rate would have been for this year, given if everything had stayed the same. She also asked what the school tax rate would be for this year. Ms. Reyes also asked with the rate of \$1.45, what the estimated school rate would be. Ms. Marabello, Chief Financial Officer, responded the rate would have been \$1.27 last year, had the Township had the revaluation. The school estimate would be .8133. Mayor Stout responded the school will come to the Township to let it know what their rate will be and approximately 5-6% gets paid for by the State and the rest would be paid by the taxpayers. Ms. Reyes stated her taxes had risen about 24% from last year to this year and asked for an explanation as to why the Budget had to increase by such a large amount. In particular, she asked if there were any cuts being made and what the reasoning was for the hiring of two (2) additional police officers. Mayor Stout stated the overall Budget is less than last year's and historically the tax rate had been buffered by surplus. There were always surplus funds available to buffer what the true tax rate would have been in previous years. The time has now come where the Township is not capable of doing so. Mayor Stout reported the Township was using \$1-million in surplus this year. Mayor Stout indicated cuts had been made in the Budget. The hiring of two (2) new police officers was a result of a public outcry for more safety in the Township. Mayor Stout added, the Township had "benchmarked" police coverage with nine (9) other surrounding communities. Mayor Stout stated the Township is now worth approximately \$ 1.8-billion and each officer is responsible for protecting approximately \$100-million in assessed value to protect and on a square mile basis, the Township is one of the top three municipalities. Ms. Marabello responded if the Township does not add the two (2) new police officers; the tax rate would not go down. The significant reason for the tax rate increase was the use of fewer surpluses. Ms. Marabello also referenced more monies had to be put aside for any tax appeals coming up.

Mr. Richard Kallan, Wynnewood Drive, spoke concerning his retired income not rising in relationship to the tax increases. Mr. Kallan expressed concern with medical insurance going up in the Township's Budget, since 2004-- 22% and stated many long-time Township residents were

TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

Cranbury Township Resolution # R 03-07-034  
(Continued)

**Public Hearing on 2007 Budget**

being forced to leave due to the increasing tax rate and families with multiple children are moving in only to compound the school problem. Mr. Kallan then asked what increases were being given this year to Township non-union employees. Mayor Stout responded the employees were to receive a 4% cost-of-living increase to remain comparable to other towns. Mr. Kallan indicated the State would be giving 2.5% to non-union employees. Mayor Stout added, one of the items on the table for the Township Committee to take a look at this year was salary ranges so the Township would not have to give across-the-board raises like it had in the past. Mr. Wittman stated the bulk of the increases were due to the negotiated contract with union personnel. Mr. Kallan stated when he had been employed in private industry he had never received medical insurance for free and asked if New Jersey law mandates employees must receive free medical insurance. Mr. Kallan suggested the Township be run like a business—if things get tough, no raises and if things really get tough, lay people off. Mayor Stout responded to Mr. Kallan—he had raised several of the issues that had been raised during the Budget hearings held by the Township Committee. These were very sensitive issues that had come up time and time again. Mayor Stout responded, the Township Committee does not have the answers on how benefits are managed—that takes time. Mr. Kallan requested at the next meeting the Township Attorney have an answer concerning the law regarding employees' health benefits.

Mr. Jack Frohbieter, Cranbury Neck Road, commented in reference to a remark Mayor Stout had earlier made regarding thanking the Governor for giving the Township money. Mr. Frohbieter stated it was not the State's money—it is the taxpayer's money. Mr. Frohbieter also seconded Mr. Kallan's remarks concerning the Budget. Mayor Stout again reminded everyone the Township had \$1-million less to buffer the tax rate. Mayor Stout stated the Township would like to operate the Township as a business and welcomed any suggestions from the public.

Ms. Susan LeDonne, Stites Drive, asked aside from the two (2) new police officers, were there plans to hire any new employees this year. Mr. Stannard responded, only the new Township Administrator to replace Mr. Witt who will be retiring. Mayor Stout stated, just as Mr. Panconi had previously indicated, the Township Committee will be looking at space utilization, how the Township uses its resources and will look for efficiencies. Mayor Stout reported this is not the only year the surplus will be small and the Township is going to have to "tighten its belt". Ms. LeDonne also asked why the professional service contracts were not sent out for a bid this year and will the Township consider sending them out for bids in future years. Mayor Stout responded the Township could take a look at sending out for bids in future years and did not this year because everyone felt comfortable with the rates of the professionals. Mr. Wittman added, the rates had actually been reduced by the professionals for this year.

Ms. Carlene Reyes, Bergen Drive, asked about the debt payment of \$900,000 which did not have to be made. Ms. Marabello indicated the Township was paying that amount less for debt it owes. Ms. Reyes stated she realized \$185,000 represented one cent, however, when taxes are being raised one-cent means a lot. Ms. Reyes also asked why so much money is being held back for tax appeals. Mr. Benner responded, when there is a tax appeal and the Township loses the appeal, the County and State portion need to be given back. Each year a number of properties are put on the list "at risk" and then it is computed how much needs to be put aside. Ms. Reyes asked about retirement services going up by 22%. Mayor Stout responded the funds had not been properly funded by the State and now the municipalities are playing "catch up" until the end of next year. Ms. Reyes also asked about the Library funding. Mr. Wittman explained, approximately 8.3% of the Townships' money goes to fund the Library, mandated by State statute. Ms. Reyes also commented on the hiring of the two (2) new police officers and stated she did not see a need to do so. Mr. Stannard responded, the two (2) new police officers will work primarily in the newly-created Traffic Department. Mr. Panconi spoke regarding the

TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

**Public Hearing on 2007 Budget**

Cranbury Township Resolution # R 03-07-034  
(Continued)

retirement costs rising and explained the State pension has two systems; the Police and Firemen and the State Employees, both under funded by \$2-billion each and the municipalities are now playing "catch up". Ms. Stave stated the measure of the number of police officers per value and per square mile were measurements done after the fact so that the Township would have some benchmarking against other municipalities. The decision to hire two (2) new police officers was really made prior to that, on the recommendation of the Police Chief in response to a rise in population and pressure on the part of the community to monitor the traffic. Ms. Stave explained the Township needed to respond to the problem by having individuals who could monitor the situation on a day-to-day basis. Mr. Wittman added the number one issue at the public hearing held by the Township Committee was the need to address the traffic problem. Mr. Panconi explained the shift coverage process within the Police Department and the lack of personnel to work on traffic issues and commended the Police Chief on doing an excellent job of keeping the overtime costs down for the past year.

Mayor Stout stated the Township Committee was spending the Township's money responsibly as it could and constantly striving to control costs. Mayor Stout implored individuals to come help the Township Committee, benefiting by each others ideas with ideas on what may be cut from the Budget while still providing services to the residents. Mayor Stout added he believed the surplus was not going to get larger in the future; the Township would "have to work smarter".

Mr. Rich Rifkin, Scottsdale Court, stated in his opinion, a lot of individuals are not going to realize the impact of the discussions on the Budget until they get their mortgage statements from their banks and realize they are paying another \$100-\$500 more and then there will be an outcry. Mr. Rifkin urged the Township Committee to educate the public. Mr. Benner, Tax Assessor, stated he did not expect next year's tax rate increase to be as much as this year.

Mr. Jack Frohbieter, Cranbury Neck Road, asked where in the Budget the \$1.4 million shows. Ms. Marabello explained, those monies do not show up in the Budget--they were already in the Township's surplus (the Township's Reserve Fund). Mr. Frohbieter also asked about the "State Mandated Fire Official" and what the \$70,000 cost was for. Ms. Marabello explained, the Fire Official was in a Trust Fund prior to this year; the State had the Township put him in a Trust Fund and this year the State has mandated that it be put back in to the Township General Fund and this does not affect the taxpayer's rate. Mr. Frohbieter then asked about the distribution of revenue for the commercial properties and residential properties: what was ratio change due to the re-evaluation. Mr. Benner responded the reason for the re-evaluation was due to the ratio dropping so low with residential properties increasing greater than the residential properties. Prior to the re-evaluation, the residential made up approximately 40% of the ratables and the combined commercial/industrial totaled 54%. After the re-evaluation, the residential was up about 42% and the commercial/industrial was running at the low end of 54%. Mr. Frohbieter stated when the re-evaluation was announced, it was stated that it would be "revenue neutral" and the Township Committee built trust in the community and now everyone is finding out it is not "revenue neutral", rather an increase of 25%. Mr. Benner responded the re-evaluation on to itself simply changed the ratable base. Mr. Frohbieter stated the Budget is going up. Mayor Stout responded the Budget had gone up with items the Township could not control. Mayor Stout gave examples of various items in the Budget which had gone down: the cost of Professionals, the cost of the Public Works Department (services) had gone down by \$30,000; the cost of Inter-local agreements went down \$37,000 as well as the Township having to make less in debt payments. Mayor Stout stressed the uncontrollable costs such as the pension had gone up almost \$72,000. In addition, the insurance costs were up almost \$100,000. Mr. Wittman asked if there should not be a large number of tax appeals would the money go back in to the

TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

**Public Hearing on 2007 Budget**

Cranbury Township Resolution # R 03-07-034  
(Continued)

Budget. Ms. Marabello responded the Township would not know for at least two years how much monies would go back in to the Budget. Ms. Susan LeDonne, Stites Drive, asked when the residents would actually receive the new tax bills and if the bills would be pro-rated for the increase. Mr. Benner responded residents would see the increase in July and in August and November residents would see the yearly increase in those bills. Ms. Connie Bauder, Petty Road, addressed the audience and recommended everyone attend the School Board Budget meetings, as that is where most of the money gets spent and their Budget had not been finalized yet. Mr. Panconi urged the public to share with him his concern when reading the paper recently, the plan the Township had submitted (following all the rules) for Affordable Housing is now in question, along with other towns' plans and is now on hold. Also follow the Library's mandated funding. The formula which the State came up with is based on the value of the municipality. Mr. Panconi reported last year the Township went to the State and asked for special dispensation and was told no. Mr. Panconi reported he had had monthly meetings with the Fire Company and urged that it stay an all-volunteer fire company. Mr. Panconi explained the State is trying to make certain classes (Fire Fighter II) for people that have had 30-years of experience, in essence, making a town go to a paid fire company. Mr. Panconi also referenced the municipalities having to now play "catch up" with the pension costs now. Mr. Panconi stated he had not supported the 4% raise for employees and thought 3.5% was adequate. Mr. Panconi also stated the Township had not gone far enough for consolidation at Town Hall and stated the new Administrator should look for opportunities to do so.

**Adoption of 2007 Budget:**

On motion offered by Ms. Stave, seconded by Mr. Stannard, the 2007 Budget was adopted by the following vote:

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

Nays: (None

Mayor Stout thanked everyone for coming out to the public hearing this evening and asked that individuals work collectively with the Township on ways to cut costs in the Budget.

Cranbury Township Resolution # R 03-07-063

**NOTE: For this Resolution, please see "Addendum A" to minutes.**

Mayor Stout stated the purpose for this Resolution is to amend the 2007 Budget due to the Fire Official's Trust Fund to now have to be in the General Fund and the Township had not received until now monies from the State for municipal aid.

**Resolution**

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

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

TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

Cranbury Township Resolution # R 03-07-063  
(Continued)

(Stave  
(Stout  
(Wittman

Nays: (None

Reports from Township staff and professionals

As Mr. Witt was absent, the Clerk gave the following report on his behalf: Andrew Feranda, Shropshire Associates is now working on the "No Passing" and speed limit survey for Old Trenton Road and it should be ready for Township Committee review within 45 days. Once it is approved by the Township Committee, it will be forwarded to the County for its approval. Mayor Stout added, the Township had passed two Resolutions, one for the speed limit on Old Trenton Road and the other for no passing on Old Trenton Road. The County required the surveys be done and this is in response to the public's concerns of safety.

Ms. Cunningham, Clerk, reported Mayor Stout earlier in the week had asked her to contact Freeholder Polos who had expressed an interest in participating in the Municipal Alliance Drug Free Fair in May. Freeholder Polos' office will get back to her.

Ms. Cunningham, Clerk, reported she had spoken with the County Freeholder Board's Clerk, who is the designated "point person" for the State-funded "Paris Grant Program". Ms. Cunningham explained the program is to preserve records at no cost to municipalities and is funded through a surcharge by the County Clerk's Office (on filing of Deeds and other items). Ms. Cunningham asked that the Mayor send a letter to the County, expressing Cranbury Township's desire to be part of the Program. Mayor Stout and the Township Committee unanimously agreed to do so.

Reports from Township Boards and Commissions

There were not reports.

Work Session

a. Monthly Report from Police Chief Jay Hansen on Police Department

Police Chief Jay Hansen gave the Township Committee an update on the Police Department activities for the month of February, 2007. Chief Hansen reported the February overtime had increased due to shift coverages, however, the overall overtime costs were less than February, 2006. Chief Hansen reported 85 summonses had been issued and stated in his opinion the enforcement had been having a positive effect on traffic in the Township. Officers had also taken three intoxicated drivers off the road as well as one driver with drugs. Chief Hansen gave the following statistics: the Village: 57 summonses--54 for speeding and 3 for other violations, Route 130: 24, all of which fell into the "other category", East of Route 130--4 summonses--other. Bike Patrol activity was 'nil due to the weather and poor road conditions. Chief Hansen stated the Department's traffic enforcement efforts continue to move forward. The "Click It or Ticket" Program will run in the Spring. During the month of February the officers ran radar posts on 85 occasions: Cranbury Neck Road-15 times, Dey Road-1, Half Acre Road-1, Maplewood Avenue-5, North Main Street-21, Old Trenton Road-7, Plainsboro Road-14, Route 130-6, South Main Street-8, South River Road-1 and Station Road-6. The radar speed vehicle with the speed mounted on the trunk had been deployed on 24 occasions, once on Cranbury Neck Road, 8 on Maplewood Avenue, 4 on North Main Street, 2 on Old Trenton Road, 4 on Plainsboro Road, 3 on South Main Street and 2 on Station Road. The unmanned decoy car had been deployed on 22 occasions and occasionally remained for a period of two (2) days. The car was placed on Cranbury



TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

Work Session (Continued)

a. Monthly Report from Police Chief Jay Hansen on Police Department (cont'd)

Neck Road-4 times, North Main Street-4 occasions, Old Cranbury Road-1, Old Trenton Road-5, Plainsboro Road-4 and South Main Street-5. Mr. Panconi stated he had noticed in the newspaper, the Township's C.E.R.T. Program was paying "dividends". There had been flooding on Old Trenton Road and the Police Department had the C.E.R.T. volunteers assist them. Also, Mr. Panconi mentioned the Chief had mentioned three officers had been pulled off the road for drunk driving, explaining when such an incident occurs, two officers are required and requires a lot of time). Ms. Stave asked Chief Hansen to consult with the Animal Control Officer before the next time he gives his report to the Township Committee to determine if there is an increase in "menacing dogs" and if both he and the Animal Control Officer would have a recommendation on whether the Township Committee should take any action or not.

Public Comment (For those items not on the Agenda)

Mr. Robert Dillon, Cranbury-Hightstown Road, stated he worked for the State of New Jersey as a State Police vehicle mechanic. Mr. Dillon reported the top salary for auto mechanics is only \$50,000, after seven-eleven years of employment. On the outside at a dealership the same individual makes \$70-\$100,000 and thus the cause of State employees complaining when they have to pay for health benefits. Presently, the Administration wants the employees to pay 1 ½% of their health benefits. Mr. Dillon also stated the employees are giving some of the proposed increase back, therefore, really not getting the raise that is reported in the news. Mr. Dillon also spoke concerning the Police Department. He explained that the police are constantly answering calls out in the industrial area, taking many police hours. Mr. Dillon asked the Township Attorney, Ms. Waterbury, if he could address the Township Committee in Closed Session concerning an issue which involves Township employees. Ms. Waterbury explained he could not meet with the Township Committee in Closed Session. Mr. Dillon then indicated he would address the Township Committee in Open Session. Mr. Dillon requested his letter to the Township Committee which he distributed be part of the minutes (**See Addendum B at the end of the minutes**). Mr. Dillon explained several weeks ago he had come before the Township Committee concerning Mid-State Filigree moving off their site and performing work on an abandoned site nearby. Since the February 12<sup>th</sup> meeting, Mr. Dillon complained, the Township Zoning Officer and Township Attorney, in his opinion had taken liberties that were not afforded to them, i.e., allowing Mid-State to continue to work at the site. Mr. Dillon stated on March 7, 2007, he had called Mr. Graydon, Zoning Officer, because he noticed Mid-State materials being delivered to the other site. Mr. Graydon responded the Township Attorney and he had spoken and concluded it would take 90 days to get Mid-State in court and agreed to allow them to operate for 90 days. Mr. Dillon expressed the action was far beyond both the Zoning Officer and Township Attorney's authority and by doing so, were not enforcing Township Ordinances, New Jersey Land Use Law and a Court Order and there could be a possible lawsuit involving discrimination. Mr. Dillon added, on March 2, 2007 there had been an incident at the abandoned site, injuring a worker who was now listed in critical condition. Mr. Dillon stated he had based all work done on his home (pole barn, swimming pool and addition) on the fact that he believed he was protected by the Court Order and Township Ordinances being enforced. Mr. Stannard responded he was not ready to make any decision this evening without first discussing in Closed Session with the Township's Attorney the issue and further explained that discussion would have to be on a future Township Committee Agenda. Mr. Dillon stated he did not want to have to force someone to do something they are supposed to be doing and he could not understand why a Zoning Officer was making calls he did not have the power to do. Mr. Stannard explained he needed to have advice of Counsel before rendering a decision. Mayor Stout stated the Township Committee would acknowledge Mr. Dillon's presentation. Ms. Waterbury, Township Attorney, explained she needed to speak to the Zoning Officer and find out what Mid-State Filigree's response was to the Notice of Violation issued by Mr. Graydon and would get back to Mr. Dillon within a week.

Ms. Carlene Reyes, Bergen Drive, clarified the Municipal Alliance Drug Free Fair is May 19<sup>th</sup>, not May 18<sup>th</sup> as erroneously reported by Ms. Cunningham, Clerk, earlier in the meeting.

TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

Mayor's Notes

Mayor Stout congratulated Greg Farrington, Construction Official and his staff. The Township had received a report, conducted by an independent party, presenting an analysis of the Township's Building Code adoption and enforcement program. The analysis confirmed the excellent work performed by the Township's Construction Department and stated the Township had actually moved up from the previous report last year. Mayor Stout appointed Mr. Paul Mullen to the Environmental Commission as a 1<sup>st</sup> Alternate and appointed Sally Shakun to the Human Services Board. Mayor Stout reported the Township had received a letter from the Middlesex County Transportation Department identifying 2007 re-surfacing projects, which included South Main Street to Route 130. Mayor Stout's next Mayor's hours will be held on Saturday, March 24, 2007 from 10:00 a.m. to 12:00 Noon.

Resolution

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

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

Cranbury Township Resolution # R 03-07-064

TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX

RESOLUTION TO CLOSE MEETING TO THE PUBLIC

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

The general nature of the subject to be discussed in this session is as follows:

- Personnel: Review and evaluation of candidates for Township Administrator;
- Confidential Chief Police Report regarding protection of the safety of the public and ongoing and potential investigations.

It is unknown at this time precisely when the matters discussed in this session will be disclosed to the public. Matters involving contract negotiations or the acquisition of land will be disclosed upon conclusion of the negotiations or upon approval of the acquisition. Matters involving personnel will be disclosed when the need for confidentiality no longer exists. Matters concerning litigation will be announced upon the conclusion of trial or settlement of that litigation or when the need for confidentiality no longer exists.

Date: March 12, 2007

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

Ayes: (Mr. Panconi	Abstain: (None
(Mr. Stannard	Absent: (None
(Ms. Stave	

TOWNSHIP COMMITTEE MEETING  
MARCH 12, 2007

(Mr. Stout  
(Mr. Wittman

Nays: None

On motion by Ms. Stave, seconded by Mr. Wittman and unanimously carried, the meeting adjourned at 10:02 p.m.

---

Kathleen R. Cunningham, Clerk

## CRANBURY TOWNSHIP

RESOLUTION #03- 07-063

RESOLUTION TO AMEND BUDGET

WHEREAS, the local municipal budget for the year 2007 was approved on the 12<sup>th</sup> day of February 2007 and;

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Cranbury, County of Middlesex, that the following amendments to the approved budget of 2007 be made:

<u>Recorded Votes</u>	Ayes (	PANCONI STANNARD STAVE STOUT WITTMAN	Nays (	NONE	Abstained (	NONE
					Absent (	NONE

<u>CURRENT FUND</u>	<u>From</u>	<u>To</u>
Anticipated Revenues:		
1. Surplus Anticipated	\$ 1,065,000.00	\$ 1,227,859.00
Total Surplus Anticipation	<u>1,065,000.00</u>	<u>1,227,859.00</u>
3. Miscellaneous Revenues – Section A:		
Local Revenues:		
Fire Official Fees	--	70,614.54
Total Section A; Local Revenues	<u>1,001,684.41</u>	<u>1,072,298.95</u>
3. Miscellaneous Revenues – Section B:		
State Aid Without Offsetting Appropriations:		
Consolidated Municipal Property Tax Relief Aid	144,022.00	115,892.00
Energy Tax Receipts (P.L. 1997, Chapters 162 & 167)	487,080.00	515,210.00
Municipal Property Tax Assistance	--	13,158.00
Total Section B: State Aid Without Offsetting Appropriations	<u>695,406.01</u>	<u>708,564.01</u>
3. Miscellaneous Revenues – Section G:		
Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services – Other Special Items:		
Reserve for Development Fees	53,200.00	--
Reserve for Sewer Fair Share	134,659.00	35,000.00
Fire Official Trust – Indirect Cost	<u>10,000.00</u>	<u>--</u>
Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government – Other Special Items	<u>2,790,687.94</u>	<u>2,627,828.94</u>

# Summary of Revenues:

1. Surplus Anticipated	1,065,000.00	1,227,859.00
3. Miscellaneous Revenues:		
Total Section A; Local Revenues	1,001,684.41	1,072,298.95
Total Section B: State Aid Without Offsetting Appropriations	695,406.01	708,564.01
Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services – Other Special Items	<u>2,790,687.94</u>	<u>2,627,828.94</u>
Total Miscellaneous Revenues	<u>4,500,960.55</u>	<u>4,421,874.09</u>
5. Subtotal General Revenues	<u>5,672,960.55</u>	<u>5,756,733.09</u>
6. Amount to be Raised by Taxes for Support of Municipal Budget:		
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	<u>6,496,322.24</u>	<u>6,483,164.24</u>
Total Amount to Be Raised by Taxes for Support of Municipal Budget	<u>6,496,322.24</u>	<u>6,483,164.24</u>
7. Total General Revenues	<u>\$12,169,282.79</u>	<u>\$12,239,897.33</u>

## Appropriations:

8. General Appropriations		
(A) Operations – Within “CAPS” Financial Administration:		
Other Expenses	\$ 130,450.00	\$ 128,833.81
Uniform Fire Safety Act:		
Salaries and Wages	--	41,659.34
Other Expenses	--	<u>28,955.20</u>
Municipal Alliance Grant Local Share	--	21,750.00
Total Operations – Within “CAPS”	<u>6,086,297.00</u>	<u>6,177,045.35</u>
Total Operations Including Contingent	<u>6,086,297.00</u>	<u>6,177,045.35</u>
Detail:		
Salaries and Wages	<u>2,882,609.00</u>	<u>2,924,268.34</u>
Other Expenses (Including Contingent)	<u>3,203,688.00</u>	<u>3,252,777.01</u>
(E) Deferred Charges and Statutory Expenditures – Municipal within “CAPS”		
(2) Statutory Expenditures:		
Contribution to:		
Public Employees Retirement System	49,670.00	--
Police and Firemens’ Retirement System of N.J.	<u>109,025.00</u>	--
Total Deferred Charges and Statutory Expenditures – Municipal Within “CAPS”	<u>372,695.00</u>	<u>214,000.00</u>
(H-1) Total General Appropriations for Municipal Purposes Within “CAPS”	<u>6,458,992.00</u>	<u>6,391,045.35</u>

(A) Operations – Excluded from “CAPS”

Contributions to:

Public Employees Retirement System	--	49,670.00
Police and Firemen’s Retirement System of NJ	--	109,025.00
Total Other Operations – Excluded from “CAPS”	<u>657,331.00</u>	<u>816,026.00</u>

Public and Private Programs Offset by Revenues:

Municipal Alliance Grant:		
Local Share	34,104.00	12,354.00
Body Armor Replacement Fund	--	1,616.19
Total Public and Private Programs Offset by Revenues	<u>45,670.00</u>	<u>25,536.19</u>

Total Operations – Excluded from “CAPS”	<u>1,315,748.00</u>	<u>1,454,309.19</u>
---	---------------------	---------------------

Detail:

Salaries and Wages	<u>26,496.00</u>	<u>26,496.00</u>
Other Expenses (Including Contingent)	<u>1,289,252.00</u>	<u>1,427,813.19</u>

(H-2) Total General Appropriations for Municipal Purposes Excluded from “CAPS”	<u>5,460,290.79</u>	<u>5,598,851.98</u>
--	---------------------	---------------------

(O) Total General Appropriations Excluded from “CAPS”	<u>5,460,290.79</u>	<u>5,598,851.98</u>
---	---------------------	---------------------

(L) Subtotal General Appropriations	11,919,282.79	11,989,897.33
-------------------------------------	---------------	---------------

(9) Total General Appropriations	<u>\$12,169,282.79</u>	<u>\$12,239,897.33</u>
----------------------------------	------------------------	------------------------

Summary of Appropriations:

(H-1) Total General Appropriations for Municipal Purposes Within “CAPS”	<u>\$ 6,458,992.00</u>	<u>\$ 6,391,045.35</u>
---	------------------------	------------------------

(A) Operations – Excluded from “CAPS”:

Other Operations	657,331.00	816,026.00
Public and Private Programs Offset by Revenues	<u>45,670.00</u>	<u>25,536.19</u>
Total Operations – Excluded from “CAPS”	<u>1,315,748.00</u>	<u>1,454,309.19</u>

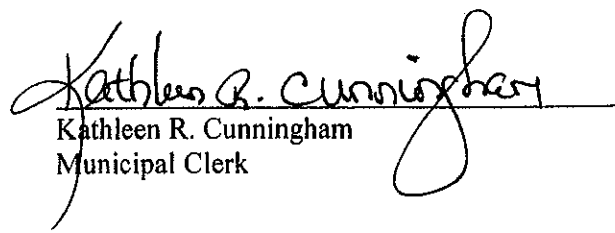
Total General Appropriations	<u>\$12,169,282.79</u>	<u>\$12,239,897.33</u>
------------------------------	------------------------	------------------------

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for his certification of the local budget so amended.

It is hereby certified that this is a true copy of a resolution amending the 2007 budget, adopted by the governing body on the 12<sup>th</sup> day of March 2007.

Certified by Me

March 12, 2007

  
Kathleen R. Cunningham  
Municipal Clerk

Mayor Stout and Members of the Township Committee

On February 12, 2007, I appeared before the township committee at their regular meeting, at which time I presented to the committee and Mayor Stout a time table of illegal operations at the abandoned Silvi Concrete plant (Lot 13, Block 16, formerly Richcrete) by Midstate Filigree Systems whose operations are at another lot and block. I also presented a court order from a case in which I was involved on July 31, 1984. Basically the court order states that the 4 Industrial users can only expand on their own lot and block, provided they meet with site plan approval requirements.

All this information along with pictures, court decisions, and conversations I had with the zoning officer is attached to the minutes of the meeting of February 12, 2007. Also after my presentation to the committee and the Mayor, Mr. Stout requested that the township attorney speak to the zoning officer to determine what avenues the township would be able to pursue.

At that time the zoning officer issued both Silvi and Midstate a Notice of Violation (see attached). First, as one can see the phrase (requires a minimum) is not part of the language of the ordinance 150-101. The wording of the ordinance says the violators have 5 days to abate and could be fined after 10 days. The township zoning officer and the township attorney are taking liberties with wording and interpretations that are not afforded to them.

On Wednesday, March 7, 2007 I called Mr. Graydon because I noticed Midstate's trailers again being stored and delivered to the Silvi site along with increased activity on the new structure built in January, by Midstate. Mr. Graydon said that the township does not take the position to make anyone abate a perceived illegal activity although a zoning violation is issued. He further said that his conversation with the township attorney came to the conclusion that it would take 90 days to get them into court so therefore the Township Attorney and zoning officer agreed to allow them to operate for 90 days. He also is awaiting a letter from Silvi as to proof that the site was not abandoned.

This action, I believe, is taken jointly by the zoning officer and the township attorney and goes far beyond their authority. By doing so they have refused to enforce the township ordinances, NJ Land Use Law, and a Court Order, not to mention a possible law suit involving discrimination. A township Zoning officer and a township attorney cannot tell one business on Main Street in town that they have to remove the table and chairs in front of their restaurant and the next business you can use an illegally constructed structure for 90 days. The ENFORCEMENT OFFICER nor the Township Attorney cannot apply or not apply zoning ordinances at their own discretion.

These actions have the possibility of a costly law suit and legal fees to the township.

ADDENDUM B

On March 2, 2007, an incident at the abandoned Silvi site involving the constructed test structure built and used by Midstate and one of Midstate's employees happened (see attached police Blotter). The individual was pinned by a 3,500 pound concrete block and is now listed in critical condition.

The position taken by the zoning officer and township attorney not to enforce the township ordinances and allow the Silvi site to be used illegally includes the township as a participating party in any suit which may be forthcoming. The site and the structure in question does not have an occupancy permit, building permit, site plan approval or any other inspections which may be required before the use of the site.

The township has exposed itself to possible inclusion into a law suit by that individual hurt on this illegal site.

I also have based all of my decisions on our home, such as a large addition, a swimming pool and now a pole barn on the fact that we are protected by the court order and the township ordinances that does not allow expansion of these four sites beyond their existing lots and blocks. The area around my home can not be any worse than it is at this time. This situation has renewed a battle after 20 years of trying to get the township to enforce its ordinances in this section of the township.

Further, my current health conditions will not allow the build up of my stress level or aggravation.

Therefore, I respectfully request the Mayor and the Township Committee to decide if the approach being used by the Zoning Officer and Township Attorney is the official position of the township committee.

I will base all of my further legal options tomorrow on the decision that the township makes tonight.

I respectfully request that as a Party of Interest as is stated in the court findings, to be informed of any court proceedings or legal actions taken by Silvi, Richcrete, Midstate or the township in order to protect my vested interest.

Thank you for the time to bring this to your attention again,

Robert C. Dillon & Barbara Dillon

Presented on March 12, 2007 and is requested to be included in the official minutes of the meeting.



## POLICE BLOTTER

## CRANBURY

Craig Pellichero, 46, of North Brunswick, was charged with possession of less than 50 grams of marijuana, being under the influence of a controlled dangerous substance, driving while intoxicated, operating a vehicle with drugs in his possession, reckless driving, careless driving, following too closely and failure to signal on Feb. 27 at approximately 4:30 p.m., police said.

According to police, Detective Ryan Dworzanski saw a 2000 GMC pick-up truck, traveling north on Route 130, cross over the fog line six times, tailgate another vehicle and switch lanes without signaling, police said.

After the vehicle was stopped near Cedar Brook Lane, the detective approached the driver-side window and noticed the smell of burnt marijuana, police said.

Mr. Pellichero told the detective he had recently smoked a cigar in the vehicle.

After being questioned further, Mr. Pellichero took a burnt marijuana cigarette from the inside of his sock and threw it out the driver-side window, police said.

The detective retrieved the burnt cigarette to be used as evidence.

The detective also noticed several prescription bottles containing assorted medications.

A search revealed a small bag in Mr. Pellichero's pant pocket filled with assorted pills, police said.

Mr. Pellichero was asked to perform a field sobriety test and a horizontal gaze nystagmus test, both of which he failed, police said.

He was transported to police headquarters, where a breath test revealed he had no alcohol in his system.

An investigation revealed that he was under the influence of a central nervous system depressant as well as a narcotic, police said.

Mr. Pellichero was then processed and released.

\*\*\*

Tania Villavicencio, 32, of Hightstown, was charged with driving while intoxicated, consumption of alcohol in a motor vehicle, having an open container of alcohol in a motor vehicle, reckless driving, careless driving, failure to maintain proper lane and failure to exhibit a valid insurance card on March 3 at approximately 11 p.m., police said.

According to police, Patrol Officer Jeffrey Morley saw a 2004 Ford SUV veering back and forth between lanes while traveling south on Route 130.

After stopping the vehicle near the intersection of Route 130 and Old Trenton Road, Officer Morley approached the vehicle and saw an open Heineken beer container in the center console and detected the smell of alcohol, police said.

Police said Ms. Villavicencio told the officer she had only had one drink.

The officer also noticed a six-pack of beer on the passenger seat with one of the containers missing.

Ms. Villavicencio was un-

able to adequately perform a field sobriety test, police said.

She was taken to police headquarters, where a breath test showed a blood alcohol level of .21 percent, police said.

Ms. Villavicencio was processed and released.

\*\*\*

Jose Castenada, 26, of East Windsor, was injured after a 3,500-pound concrete block he was moving pinned his leg against a brick wall on March 2 at Silvi Concrete on Hightstown-Cranbury Station Road, police said.

His co-workers were able to pull the block off him before emergency vehicles arrived.

Mr. Castenada was transported to Robert Wood Johnson University Hospital in New Brunswick, where he was listed in critical condition Thursday afternoon, police said.

## MONROE

Fire damaged a construction trailer Tuesday on Federal Road, police said.

According to police, the fire was reported by a municipal utility employee at 11:30 a.m. Firemen from station 57 extinguished the blaze.

Paperwork and supplies of an undetermined value were destroyed in the fire.

The cause of the fire is still under investigation, police said.

## OBITUARIES

## Nancy Brown

Nancy Louise Brown, 59, died Tuesday, Feb. 27, surrounded by her loving family.

Born in New Brunswick and raised in Jamesburg, she lived with her daughter and son-in-law in Hightstown.

She is survived by her daughter and son-in-law, Sandra and Gerald Broxmeyer; two sons, Robert and Richard Lutz; three brothers and three sisters-in-law, Roger and Phyllis Brown, Allan and Myra Brown and Robert and Jane Brown; six grandchildren, Robbie, Gerald IV, Michelle, Stephanie, Tabitha and Nicholas; and several nieces, nephews and great-nephews.

Funeral services and burial were private. Arrangements are under the direction of Chambers D'Errico and Correnti Funeral Home, 825 Chambers St., Trenton.

## Keith Baczkowski

Keith Baczkowski, 56, died Monday, Feb. 26, at the Raritan Bay Medical Center, Old Bridge division.

Born in Perth Amboy, he had lived in Jamesburg for the past 20 years. He worked as a truck driver for Bradco Building Supply in Avenel.

He is survived by his sister, Cynthia Carlburg of Altadena, Calif.; and an uncle, David Zelinski of Toms River.

Cremation services were private and under the direction of the Skrocki Memorial Home, Perth Amboy. Committal services and interment of his ashes will be held Friday (today), March 9, at 11 a.m. at St. Stephen's Cemetery in the Keasby section of Woodbridge.

## Lillian

Lillian Princetor at home.

Born was a F 1953.

A tained a rence T and pr Rutgers

She ahead of High School College to obtain a degree from a consistory own work between her academic waiters two years in England

Sh medical university lowered Roche Hospital, stetric

St to Pri taught and t physi ma P death

C ing 1 child 1968 board exter cial: adult

I

602 Legal Notice/  
Public Notices

NOTICE TO  
ABSENT DEFENDANTS

STATE OF NEW JERSEY TO:  
Christine T. Vasquez

602 Legal Notice/  
Public Notices

NOTICE TO  
ABSENT DEFENDANTS

(L.S.) STATE OF NEW JER-  
SEY TO:  
Teresa Hunter

602 Legal Notice/  
Public Notices

NOTICE TO  
ABSENT DEFENDANTS

(L.S.) STATE OF NEW JER-  
SEY TO:  
Teresa Hunter

602 Legal Notice/  
Public Notices

NOTICE TO  
ABSENT DEFENDANTS

STATE OF NEW JERSEY TO:  
Kamlesh B. Patel

602 Legal Notice/  
Public Notices

NOTICE TO  
ABSENT DEFENDANTS

(L.S.) STATE OF NEW JER-  
SEY TO:  
Frederick Bush  
Alice Campos, and each of

602 Legal Notice/  
Public Notices

WHEREAS, the local municipal budget for

602 I