

TOWNSHIP COMMITTEE MEETING
JANUARY 23, 2006

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: Richard Stannard, David J. Stout, Wayne K. Wittman and Mayor Thomas F. Panconi, Jr.. Ms. Stave was absent. Also present was: Trishka Waterbury, Esquire, Attorney, Cathleen Marcelli, Engineer, Thomas C. Witt, Administrator and Kathleen R. Cunningham, Clerk. Mayor Panconi 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 7, 2005 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 7, 2005.
- (3) Was filed on December 7, 2005 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 January 9, 2006

On motion by Mr. Stannard, seconded by Mr. Stout and unanimously carried, the minutes of January 9, 2006 were adopted.

Reports and Communications

--Mayor – Mayor Panconi reported on Thursday, January 12th he had attended the Library Board of Trustees meeting and introduced his rep, Patricia Thomsson. Mayor Panconi stated on Saturday, January 14, 2006, Cranbury Township, South of Station Road, experienced a power failure, due to the weather. However, the police station was not in the dark as the emergency generator worked well. Mayor Panconi and Mr. Stout on Tuesday, January 17th met with the Cranbury Board of Education and the School's construction manager to review the renovations currently going on in the old gym. Mr. Panconi reported both he and Mr. Stout had been pleased with the progress and the renovations should be completed by the Spring. Mayor Panconi and Mr. Stout also had discussions with Mr. Farrington, Construction Official and Rich Allegretti, Building Inspector, who are following the progress of the School renovations closely. Mayor Panconi had attended the Mayors' Legislative Day in Trenton where Governor Corzine addressed the Mayors, followed by a panel discussion on the State's property tax problem. That afternoon, Mayor Panconi and Mr. Witt, Administrator met with Chief Hansen and Captain Kahler of the Cranbury Police Department to discuss budget issues as well as review how and what the Chief will report to the Township Committee on a monthly basis. The Chief will give his first report at the February 13th meeting and will be reporting on police overtime, bike patrol activity, speeding violations issued and any other important information relating to the Police Department. Mayor Panconi also reported he had attended the Human Services Commission meeting to introduce John Ritter. On Friday, January 20th Mayor Panconi met with Freeholder Director David Crabiel to introduce himself as the new Mayor. Freeholder Crabiel indicated to Mayor Panconi the County is willing to help the Township financially with Open Space purchases. Mayor Panconi had also reported he had conducted Mayor's hours that afternoon from 2:30 – 4:30 p.m. and one resident showed up, Tom Witt, Administrator, of Brainerd Drive. On Saturday, January 21st, the Township Committee, along with Township Administrator Tom Witt and C.F.O. Denise Marabello began the discussions on the 2006 Township Budget. Mayor Panconi indicated the Police Department as well as the head of the Recreation Commission, Beth Veghte had participated in

Reports and Communications (Continued)
Mayor (cont'd)

the discussions and more meetings were to follow. Mayor Panconi announced he was appointing Mr. John Ritter and Mr. Joseph Colombo to the Human Services Commission and due to the resignation of Art Wasson from the Board of Recreation Commissioners, Mayor Panconi appointed Jane Helstrom to the Board of Recreation Commissioners as an Alternate to serve out Mr. Wasson's term. Mayor Panconi reported he would be attending a meeting on Tuesday, January 24, 2006 with Congressman Rush Holt in East Brunswick along with Mayors from the surrounding municipalities.

--Members of Committee

Mr. Stout reported he, as liaison to the Environmental Commission, had attended the meeting on January 17th at which the Commission had conducted their first review of the draft of the Environmental Resources Inventory of the Township. Mr. Stout indicated this Inventory will become an element of the Master Plan and is a cataloging of all of the natural resources throughout the Township. The Township had received a matching grant from A.N.J.A.C. last year to conduct the study. Ms. Amy Green of Amy Green Associates, who had been hired by the Township to conduct the study, gave a presentation to the E.C. The next time the E.C. will review the Inventory will be at its February 21st meeting and it will be ultimately heard by the Planning Board in April.

Mr. Stannard reported he and Mr. Wittman had attended the H.P.A.C. meeting last week to listen to information concerning the potato barn. Mr. Stannard indicated there had been a lot of enthusiasm in obtaining State funds to repair the barn and then later for preserving the barn. Mr. Stannard reported Ms. Kate McConnell was looking into obtaining State funds for the project—hopefully some emergency funds to repair the barn, as well as applying for funds in 2006 to preserve the barn. Mr. Wittman added, as a follow-up, the subcommittee would be meeting with Mr. Harry Williams, Contractor, on Wednesday, January 25, 2006 to survey the building and to obtain an estimate on the work needed to fix the barn.

Mr. Wittman reported he had attended the Board of Recreation Commissioners meeting the previous week as the liaison. Discussed were the future recreational needs of the Township and also "looking outside the box" as to where the Recreation Board would be able to locate facilities. Mr. Wittman indicated over the next few months he would be working with the Rec Board to come up with an inventory of the Township's parks.

Agenda Additions/changes

Ms. Cunningham, Clerk, announced Cranbury Township Ordinance # 01-06-02 would be carried over until the February 27, 2006 meeting. Also, Cranbury Township Resolution # 01-06-229 was added to the Consent Resolution and Cranbury Township Resolution # 01-06-227 was being deleted from the Consent Resolution.

Ordinances

First Reading

Cranbury Township Ordinance # 01-06-04

An Ordinance entitled, "Cranbury Township Ordinance # 01-06-04, BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$855,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$812,250 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF", was introduced for

Cranbury Township Ordinance # 01-06-04
(Continued)

first reading. Mr. Witt, Administrator, explained the first item on the Ordinance would be for the Babe Ruth baseball field on the Wright South parcel and the cost would be \$200,000, of which \$190,000 would be financed. The second item would be for the construction of Liberty Road Way to the bridge. The entire amount would be reimbursed by Trust Funds to the Township which has accumulated over the past three years from the State of New Jersey. On motion by Mr. Wittman, seconded by Mr. Stannard, the Ordinance was passed on first reading by vote:

Ayes: (Panconi
(Stannard
(Stout
(Wittman

Abstain: (None
Absent: (Stave

Nays: (None

Public Hearing: February 13, 2006

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, New Jersey as general improvements. 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 \$855,000, including the aggregate sum of \$42,750 as the several down payments for the improvements or purposes required by the Local Bond Law. 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, negotiable bonds are hereby authorized to be issued in the principal amount of \$812,250 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 therefor, 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) Construction of Babe Ruth Field, including all work and materials necessary therefor and incidental thereto.	\$200,000	\$190,000	15 years
b) Construction of Liberty Way Road to Bridge, including all work and materials necessary therefor and incidental	\$655,000	\$622,250	10 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
thereto.			

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

Section 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 11.16 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 \$812,250, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

- (d) An aggregate amount not exceeding \$95,000 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 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.

Ordinances
Second Reading

Cranbury Township Ordinance # 01-06-01

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 01-06-01, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY IN MIDDLESEX COUNTY, NEW JERSEY, AUTHORIZING A NON-EXCLUSIVE LEASE OF THE GOURGAUD GALLERY IN TOWN HALL TO THE CRANBURY ARTS COUNCIL", 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. Mr. Stannard asked if the issue of no alcoholic beverages permitted on public property had been included. Mr. Wittman responded that language had been included in the Ordinance. Mr. Witt, Administrator, indicated he had been speaking with Ms. Sue Lesson, of the Arts Council, and everything was in place (the proper insurance) to move forward with the Lease. No one else present wished to speak, so the hearing was declared closed. On motion by Mr. Wittman, seconded by Mr. Stout, the Ordinance was adopted by a vote:

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

Cranbury Township Ordinance # 01-06-01
(Continued)

(Wittman

Nays: (None

Ordinance
Second Reading

Cranbury Township Ordinance # 01-06-03

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 01-06-03, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY IN MIDDLESEX COUNTY, NEW JERSEY, ACCEPTING THE DEDICATION FOR RIGHT-OF-WAY PURPOSES OF A PORTION OF OLD TRENTON AND DIRECTING THE DEDICATION OF SAME BY THE TOWNSHIP TO THE COUNTY OF MIDDLESEX", 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. A question was raised as to the Route # being correct in the Ordinance. Ms. Cunningham, Clerk, indicated earlier in the day Ms. Betty Wagner had raised a question as to the correctness of the Route number and Ms. Cunningham called the Township Engineer's Office and asked them to verify. The Township Engineer's Office had, in fact, indicated the Route number of 685 was correct. No one else present wished to speak, so the hearing was declared closed. On motion by Mr. Stout, seconded by Mr. Stannard, the Ordinance was adopted by a vote:

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

Nays: (None

Resolutions
Consent

Ms. Cunningham, Clerk, indicated Resolution # R 01-06-225 was being pulled from the Consent Agenda as Mr. Orron was not present yet.

On motion offered by Mr. Stout, 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 # R 01-06-219

NOW, THEREFORE, BE IT RESOLVED, by the Township of Cranbury that all bills and claims as audited and found to be correct be paid.

Cranbury Township Resolution # R 01-06-220

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR
ROCKEFELLER GROUP-BUILDING A

WHEREAS, by letter dated November 10, 2005, Rockefeller Group 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 January 2, 2006 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Performance Bond	\$ 317,221.92
Cash	\$ 35,246.88

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. Glenn P. Muleucis, Rockefeller Group
- d. Township Attorney

CERTIFICATION

I, Kathleen R Cunningham do hereby certify that the foregoing is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on January 23, 2006.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 01-06-221

WHEREAS, the Tax Collector has determined, Cedar Brook LP inadvertently made an added assessment tax payment at the same time their bank made the same payment, creating a duplicate payment on their 2006 property taxes,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury that the following 2006 erroneously paid property taxes be refunded:

<u>Block</u>	<u>Lot</u>	<u>Assessed to</u>	<u>Amount</u>
1.02	5	Cedar Brook 2005 LP Cranbury Township Resolution # R 01-06-221	\$ 64,800.00

(Continued)

CERTIFICATION

I, Kathleen R. Cunningham, Township Clerk of the Township of Cranbury, hereby certify that this is a true copy of a Resolution which was adopted at a regular meeting on January 23, 2006.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 01-06-222

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

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

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

WHEREAS, the Borough has offered to continue to provide these services to the Township during 2006, 2007 and 2008 as set forth in the attached agreement for a total fee of \$105,850.00; and

WHEREAS, the total fee for 2006 will be \$105,850.00; and

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds for these services during 2006; and

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

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

1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with the Borough of Hightstown for the provision of Emergency 9-1-1- Police dispatching services for the period January 1, 2006 through December 31, 2008.
2. A copy of the agreement shall be available for public inspection in the Township Clerk's Office during regular business hours.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, do hereby certify that the foregoing is a true and correct copy of a resolution passed by the Township Committee of the Township of Cranbury at its meeting held on January 23, 2006.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 01-06-223

TOWNSHIP OF CRANBURY

Cranbury Township Resolution # R 01-06-223
(Continued)

COUNTY OF MIDDLESEX

WHEREAS, the Township of Cranbury in previous years, has entered into an Interlocal Service Contract with the County of Middlesex for health services; and

WHEREAS, the term of the present contract expired; and

WHEREAS, the dollar amount for said services will be \$17,847.00 for the year 2006 and the base cost will be adjusted for 2007 by an amount equal to the actual increase or decrease in the cost to the County to provide these services; and

WHEREAS, the County shall provide to Cranbury Township such cost adjustment no later than January 31, 2007 under the term of said contract; and

WHEREAS, the term of this contract shall be for two (2) years, commencing on January 1, 2006 and terminating on December 31, 2007, unless terminated earlier by either party.

NOW THEREFORE BE IT RESOLVED, by the Township Committee for the Township of Cranbury that the Mayor and Clerk are hereby authorized and directed to execute the attached agreement for said services.

CERTIFICATION

I, Kathleen R. Cunningham, Township Clerk of the Township of Cranbury, hereby certify that this is a true copy of a Resolution which was adopted at a regular meeting on January 23, 2006.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 01-06-224

TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY

WHEREAS, William Hart served the Cranbury Township Board of Health, joining in 1983 as a member and then becoming its Chairman in 1986; and

WHEREAS, William Hart presided over the meetings with great dedication to the residents of Cranbury Township, supporting the mission and goals of the Board of Health; and

WHEREAS, William Hart always had an interest in staying on top of a wide variety of health issues, including, West Nile Virus, SARS, Avian Flu and Influenza; and

WHEREAS, William Hart recently led the way in the Board's efforts to educate Cranbury's residents about the dangers of smoking through participation in the National Smoke Out Program ; and

WHEREAS, William Hart spearheaded the Board of Health's project of developing a system for communicating vital health information directly to residents in the event of a health emergency or crisis;

WHEREAS, through the many years he served, William Hart's knowledge in the area of environmental health was a valuable asset to the Board of Health; and

Cranbury Township Resolution # R 01-06-224
(Continued)

WHEREAS, William Hart has given his time, knowledge, experience, intelligence and loyalty to the Township of Cranbury; and

WHEREAS, William Hart's contributions have enhanced the Township and its residents' overall quality of life;

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that William Hart be given our deepest gratitude for his years' of service, and;

BE IT FURTHER RESOLVED, that the Township of Cranbury hereby extends its heartfelt best wishes to William Hart for good health, happiness and prosperity in the future.

CERTIFICATION

I, Kathleen R. Cunningham, hereby certify that this is a true copy of a Resolution which was adopted by the Township Committee at a regular meeting held on January 23, 2006.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 01-06-226

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

A Resolution Adopting Street Addresses

WHEREAS, the Tax Collector has determined there is a need for the following street address to be changed:

<u>BLOCK</u>	<u>LOT</u>	<u>CURRENT ADDRESS</u>	<u>NEW ADDRESS</u>
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5	7.01	1 Able Drive	270 Prospect Plains Road
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NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the above street address be established.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, hereby certify that this is a true copy of a Resolution, adopted by the Township Committee on January 23, 2005.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 01-06-228

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

WHEREAS, Cranbury Township has received a total of \$66,183.60 from the Community Development Block Grant (CDFG) of which \$10,310.00 in 1998 had been earmarked to be used for rehabilitation purposes with the Township's COAH 2nd Round Affordable Housing program; and

Cranbury Township Resolution # R 01-06-228
(Continued)

WHEREAS, Cranbury Township is presently in the process of submitting its 3rd Round Affordable Housing plan; and

WHEREAS, the grant monies were never utilized,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury it hereby requests the \$66,183.60 in grant monies be used for the three new Third Round sites, the first of which will be the Cranbury Housing Associates Four Seasons site.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution, adopted by the Township Committee on January 23, 2006.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 01-06-229

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE REDUCTION OF A PERFORMANCE GUARANTEE FOR ELMS OF CRANBURY

WHEREAS, by letter dated December 27, 2005, The Elms of Cranbury has requested the reduction 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 January 6, 2006 (attached hereto as "Exhibit A") recommended that the performance guarantee be reduced and the amount that shall be **released** is as follows:

Performance Bond	\$ 103,534.20
Cash Deposit	\$ 11,503.80

WHEREAS, the amount that shall be **retained** until all bonded items are complete as follows:

Performance Bond	\$ 44,371.80
Cash Deposit	\$ 4,930.20

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

1. It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".
2. It hereby authorizes the reduction of performance guarantees set forth in the Township Engineer's letter referenced above.
3. 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:

Cranbury Township Resolution # R 01-06-229
(Continued)

- (a) Township Engineer
- (b) Township Chief Financial Officer
- (c) Anita Dietrick, Elms
- (d) Township Attorney

CERTIFICATION

I, Kathleen R. Cunningham do hereby certify that the foregoing is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on January 23, 2006.

Kathleen R. Cunningham Clerk

Reports from Township staff and professionals

Mr. Witt, Administrator, reported the Wright South remediation project was moving along very well and he had spoken with Ms. Stave earlier in the day regarding the Babe Ruth baseball field and as soon as the remediation work is complete, the Township would move forward with step 2, the construction of the ball field. Mr. Witt also reported a closing would be taking place on Friday, January 27, 2006 for the E. Barclay sale, of which the Township would be receiving \$1.3 million. Mr. Witt added the Township had sold the development rights for the parcel to the State Agricultural Development Commission (\$1.4 million) and would be closing on that as well on Friday. The total amount the Township would be receiving would be \$2.7 million and would be used to pay down the Township's debt.

Resolution

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

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

Abstain: (None
Absent: (None

Nays: (None

Cranbury Township Resolution # R 01-06-225

TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY

WHEREAS, David Orron served as Cranbury Township Board of Health Attorney since January 1, 1986; and

WHEREAS, often in the midst of great controversy, David Orron always maintained a cool composure; and

WHEREAS, David Orron always had an interest in the many issues which were dealt with by the Board of Health; and

WHEREAS, David Orron always provided solid legal guidance and counsel to the Board of Health; and

WHEREAS, David Orron always exercised a true professional demeanor, keeping everyone's best interests in mind; and

Cranbury Township Resolution # R 01-06-225
(Continued)

WHEREAS, during the twenty years he served the Board of Health, David Orron's legal knowledge was a true asset to Cranbury's residents; and

WHEREAS, David Orron has given his time, knowledge, experience, intelligence and loyalty to the Township of Cranbury; and

WHEREAS, David Orron's contributions have enhanced the Township and its residents' overall quality of life;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that David Orron be given our deepest gratitude for his years' of service, and;

BE IT FURTHER RESOLVED, that the Township of Cranbury hereby extends its heartfelt best wishes to David Orron for good health, happiness and prosperity in the future.

CERTIFICATION

I, Kathleen R. Cunningham, hereby certify that this is a true copy of a Resolution which was adopted by the Township Committee at a regular meeting held on January 23, 2006.

Kathleen R. Cunningham, Clerk

Reports from Township staff and professionals

There were no reports.

Work Session

a. Discussion of Township Committee subcommittees

The Township Committee reviewed and discussed the various subcommittees and assignments for 2006.

b. Discussion of Interaction Report

Mr. Wittman abstained from the discussion on the sewer hook up on South Main Street.

The Township Committee discussed the Interaction Report and made recommendations on ways to improve the report. The Township Committee instructed the Clerk to delete various items from the report which no longer required action from the Township Committee and, in addition, Mr. Stout recommended adding a weekly Township Committee correspondence report. The Township Committee members unanimously agreed to add this as a separate report each week. A question was raised concerning the status of the request from several residents back in April, 2005 to hook up to the Township's sewer service. Mr. Witt indicated he had spoken last week to Mr. Frank Foulkes, South Main Street, regarding the issue and there were still a lot of issues which needed to be addressed. Mr. Foulkes had indicated he might proceed himself to connect to the Township's sewer system, as he was having a difficult time getting other neighbors to join with him.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Mr. John Ritter, Plainsboro Road, suggested the Township Committee give thought to how to inform the public of the various changes to the H.P.A.C. Ordinance. Mr. Ritter requested the Township work with The Cranbury Press to let the residents know of the significant changes to the Ordinance. Mr. Richard Kallan, Wynnewood Drive, asked if the Township

Public Comment (Continued)

Mr. Richard Kallan (cont'd)

Committee planned to give any consideration to the upcoming Verizon fiber optic service to residents. Mr. Witt indicated the legislation pertaining to Verizon's fiber optic plan had been pulled and there were plans to re-introduce the legislation for the next legislative session. Mr. Kallan asked if the Township Committee could send a letter supporting the fiber optic plan. Mr. Witt indicated he was sure the Township Committee in the future would have no problem sending a letter supporting competition, however, the Township could not support one company over another. There being no further comments, the Mayor closed the public part of the meeting.

Mayor's Notes

Mayor Panconi indicated he had received a letter from Ramapo College concerning the Russ Berry awards program for "Unsung Heros". Mayor Panconi stated if anyone wanted a copy of the letter it would be in the Clerk's Office. Mayor Panconi also reported he had received a directory of medical services for children from the County. Ms. Cunningham, Clerk, indicated she had received two copies and had placed

one copy on the shelf in the main hallway of Town Hall. The Mayor directed the Clerk to send the remaining copy over to the Cranbury Public Library.

Resolution

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

Ayes: (Panconi
(Stannard
(Stout
(Wittman

Abstain: (None
Absent: (Stave

Nays: (None

Cranbury Township Resolution # R 01-06-218

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:

--- Review of Closed Session Minutes of January 9, 2006.

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

Date: January 23, 2006

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

Ayes: (Panconi
(Stannard
(Stout
(Wittman

Abstain: (None
Absent: (Stave

Nays: (None

On motion by Mr. Stannard, seconded by Mr. Wittman and unanimously carried, the Closed Session minutes of January 9, 2006 were adopted.

Mr. Stout asked the status of the Conagra odor issue. Mr. Witt indicated he had tried to schedule a meeting for tonight with representatives from Conagra as well as individuals with the County Health Department, however, the County representatives could not make it. Mr. Witt will be contacting them again and try to schedule the meeting for the evening of February 13, 2006 for 6:00 p.m. before the Township Committee meeting. Mr. Witt also indicated the problem seemed to be getting worse.

Mr. Stannard asked when the next Township Committee Budget Meeting would be. The Township Committee discussed having the next meeting on Monday evening, January 30, 2006 at 7:00 p.m. in the Administrator's Office and then instructed the Clerk to notice the newspapers. Mr. Witt indicated he would try to schedule the Conagra meeting with the County for that evening at 6:00 p.m. before the Budget Meeting instead of waiting until February 13th.

Mayor Panconi asked that Township Committee members' goals and objectives be on the Agenda for the meeting of February 13, 2006.

Mayor Panconi indicated he had appointed Mr. Joseph Colombo of Four Seasons development to the Human Services Board and he had been very eager to serve.

On motion by Mr. Wittman, seconded by Mr. Stannard and unanimously carried, the meeting adjourned at 8:20 p.m.

Kathleen R. Cunningham, Clerk