

TOWNSHIP COMMITTEE MEETING

August 28 , 2006

The regular meeting of the Township Committee of the Township of Cranbury was held at 6:30 p.m. in the Town Hall Meeting Room. Answering present to the roll call was: Township Committee members: Richard Stannard, Pari Stave, David Stout, Wayne Wittman (Mr. Wittman left at 7:40 p.m.) and Mayor Thomas F. Panconi, Jr. Also present were: Trishka Waterbury, Esquire, Attorney, Richard Preiss, Township Planner, 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.

Regular Committee Minutes of August 14, 2006

On motion Ms. Stave, seconded by Mr. Stout, and unanimously carried (with Mayor Panconi abstaining), the Regular Committee Minutes of August 14, 2006 were adopted.

Closed Session Minutes of August 14, 2006

On motion by Ms. Stave, seconded by Mr. Wittman, and unanimously carried (with Mayor Panconi abstaining), the Closed Session Minutes of August 14, 2006 were adopted.

Reports and Communications

--Mayor

Mayor Panconi reported he had had a conflict the past weekend and had not held Mayor's Hours. In addition, Mayor Panconi announced he would not be holding Mayor's hours on Saturday, September 9th, as it is Cranbury Day and he will be available throughout the day to speak with residents. Mayor Panconi reported he would be meeting with the Fire Company to get their August report and will report back to the Township Committee. Mayor Panconi thanked Tom Witt and everyone else in the Township who had made the Mayor's Annual Golf Tournament such a success—raising over \$9,000. Mayor Panconi also reported on Wednesday, August 16, 2006, the Personnel subcommittee had met to discuss a few issues; Tom Witt will be retiring sometime in June 2007 and indicated the Township Committee would start searching in January for his replacement. Mayor Panconi stated the Personnel subcommittee has requested that all Department Heads submit evaluations by October 1, 2006 for review by the Personnel subcommittee.

--Members of Committee

There were no reports.

--Subcommittees

There were no reports.

Agenda Additions/Changes

Ms. Cunningham, Clerk, announced Cranbury Township Resolution # R 08-06-123, was being added to the Consent Agenda and explained the Township Engineer had requested this Resolution be added to give the Township a six-month extension to award the Contract for the Liberty Way South project.

Ms. Stave indicated she needed to request Cranbury Township Ordinance # 08-06-22 be removed from the Agenda, due to Mr. William Bunting, Esquire, one of the signatories, not having adequate time to review the draft for the Agreement for use of the barns.

Ordinances

Second Reading

Cranbury Township Ordinance # 07-06-20

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 07-06-20, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, MIDDLESEX COUNTY, NEW JERSEY, CONCERNING OUTDOOR DINING AND REVISING THE CODE OF THE TOWNSHIP OF CRANBURY BY AMENDING CHAPTER 150, LAND DEVELOPMENT AND ADDING A NEW CHAPTER 106, OUTDOOR DINING", 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 Ordinance was then sent to the Planning Board for its review. Ms. Waterbury, Township Attorney, stated because the Planning Board had made many recommended changes to the Ordinance, the Ordinance should be re-introduced with the changes, once the Township Committee approves said changes, after the public hearing on the Ordinance. After the re-introduction, the Ordinance would again be referred to the Planning Board for its public hearing. The Mayor opened the public hearing on the Ordinance. Ms. Joanne Palma, Cranbury Pizza, spoke concerning the Ordinance, stating she had reviewed the Ordinance and felt people should be licensed and indicated if there were a problem with a customer they would be happy to comply with asking that person or persons to leave. Ms. Palma referenced Paragraph D, item 2—which permitted outdoor dining only in the front yard of the property; and stated this was the only problem with the Ordinance as The Cranbury Pizza has outdoor dining on the side of premises. Ms. Palma asked the Township to consider side dining as being restricted to the front would only allow two (2) tables. Ms. Palma stated if she would need a variance to have dining on the side, she would be glad to get a variance. Mr. Stout indicated the issue had come up at the Planning Board and its decision had been to consider side yard dining requests on a case-by-case basis. Mr. Wittman stated he too had been concerned with not allowing side yard dining. Ms. Waterbury, Township Attorney, stated either the Planning or Zoning Boards could grant variances for both side and back yard dining. Mr. Frank Marlowe, Main Street, asked what the next step would be in the process. Mayor Panconi explained once he closed the public hearing, he would take a vote from the members of the Township Committee to determine if they concurred with the Planning Board's recommendations and determine what steps to take with the Ordinance. Mr. Robert Smithers, Petty Road, asked about Paragraph E.2 on Page 6 concerning "no outdoor dining within 10 feet from parking area" and stated it appeared to be self-defeating. Mr. Stannard responded that particular Section referred to the highway/commercial area only. Mayor Panconi closed the public portion of the meeting and opened it up to Township Committee members' remarks: Mr. Wittman raised his concern with the language concerning "too much noise" and asked who would determine what level was too much. Ms. Waterbury, Township Attorney, explained the enforcement would be up to the Police

Cranbury Township Ordinance # 07-06-20

(Continued)

Department; if an individual were becoming a habitual problem, then the Police would have to enforce the issue. Mr. Stout referenced Page 5, item 5, and asked if four (4) feet were a wide enough space for individuals to move through on the public right-of-way. Mr. Stout indicated the same question had come before the Planning Board and stated the Township may want to consider increasing the width. Ms. Stave inquired as to how wide the average sidewalk is and Mr. Witt responded it was four feet. Ms. Waterbury

stated there is a provision in the Ordinance providing for enforcement by the Police Department where public safety would be in jeopardy, i.e. chairs blocking the public right-of-way. Mr. Stannard complimented Mr. Richard Preiss, Planner, for his excellent work on the proposed Ordinance. Mayor Panconi asked the members of the Township Committee if they concurred with the Planning Board's recommendations. The Township Committee members unanimously agreed and made a decision to re-introduce the Ordinance with the recommended changes. Mr. Stout asked when the Ordinance would become effective. The Township Attorney, Ms. Waterbury, explained that was up to the Township Committee. A provision was added the Ordinance would go into effect right away; however, the businesses would have until 2007 to apply for site plan approval. No one else present wished to speak, so the hearing was declared closed.

Ordinances

First Reading

Cranbury Township Ordinance # 08-06-20

An Ordinance entitled, "Cranbury Township Ordinance # 08-06-20, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, MIDDLESEX COUNTY, NEW JERSEY, CONCERNING OUTDOOR DINING AND REVISING THE CODE OF THE TOWNSHIP OF CRANBURY BY AMENDING CHAPTER 150, LAND DEVELOPMENT AND ADDING NEW CHAPTER 106, OUTDOOR DINING", was introduced for first reading. On motion by Mr. Stannard, seconded by Mr. Wittman, the Ordinance was passed on first reading by vote:

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

Nays: (None

Public Hearing: September 11, 2006

WHEREAS, the Township Committee of the Township of Cranbury hereby finds that it is in the Township's interests to ensure the ongoing viability of its restaurants and other dining establishments, especially those located in the Village Commercial (VC) Zone, where the Township Master Plan has long identified the strengthening and revitalization of the Village's commercial zones as one of its goals; and

WHEREAS, the Township Committee further finds that an important means of accomplishing this goal is to allow outdoor dining as an accessory use in the Village Commercial (VC) and Highway Commercial (HC) Zones and in Planned Industrial Parks located in the Research Office and Light Industrial (RO/LI) and Light Industrial (LI) Zones; and

Cranbury Township Ordinance # 08-06-20

(Continued)

WHEREAS, the Township Committee recognizes that in the VC zone, where residential and commercial uses exist side-by-side, the presence of outdoor dining on Village sidewalks can give rise to noise concerns and other issues as well as impede pedestrian traffic, which can be addressed through additional conditions and limitations applicable to the VC zone only; and

WHEREAS, the Township Committee finds that it is therefore advisable that restaurants in the Village that wish to provide outdoor dining be required to obtain an annual license containing certain regulations and restrictions that will ensure the safety and welfare of pedestrians in the Village and safeguard the needs of both the commercial dining establishments and the Village's residents;

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

Section 1. Chapter 150 of the Code of the Township of Cranbury ("Code"), the "Land Development Ordinance of the Township of Cranbury," are hereby amended to permit outdoor dining as an accessory use for restaurants in the Village Commercial (VC) and Highway Commercial (HC) Zones and in Planned Industrial Parks located in the Research Office and Light Industrial (RO/LI) and Light Industrial (LI) Zones, as follows (additions are underlined; deletions are in [brackets]):

§ 150-19. Village Commercial (VC) Zone

Add the following under "A. Permitted Uses":

(16) Outdoor dining as an accessory use in conjunction with a permitted restaurant, subject to the requirements of § 150-39.

§ 150-21. Highway Commercial (HC) Zone

Add the following under "A. Permitted Uses":

(17) Outdoor dining as an accessory use in conjunction with a permitted restaurant, and subject to the requirements of § 150-39.

§ 150-24. Research Office and Light Industrial (RO/LI) Zone

Add the following under "A. Permitted Uses" at 3(b) after "Restaurants":

...including outdoor dining areas as an accessory use to the restaurant, subject to the requirements of § 150-39.

Add the following under "C. Area and Bulk Regulations" at (5) "Restaurants, excluding drive-in and fast food establishments":

Cranbury Township Ordinance # 08-06-20
(Continued)

(i) Outdoor dining areas provided as an accessory use to a restaurant shall be subject to the requirements of § 150-39.

§ 150-24.1. Light Industrial (LI) Zone

Under "A. Permitted Uses," at 3(b) "Restaurants," add:

...including outdoor dining areas as an accessory use to a restaurant subject to the requirements of § 150-39.

Section 2. Chapter 150 of the Code is further amended to add new section 150-39, Outdoor dining areas, to read as follows:

§ 150-39. Outdoor dining areas.

A. Purpose. The purpose of this chapter is to encourage the provision of outdoor dining areas as accessory uses in conjunction with permitted restaurants in order to provide a unique environment for relaxation and food consumption. At the same time, regulations are specifically required for outdoor dining areas to control and ameliorate the potential impact of such areas on adjacent uses, particularly adjacent residential uses, and to protect the public health, safety and welfare of residents of the Township.

B. Where permitted. Outdoor dining areas shall be permitted as accessory uses to restaurants in the Village Commercial (VC) Zone and the Highway Commercial (HC) Zone, and within Planned Industrial Parks within the Research Office and Light Industrial (RO/LI) Zone and the Light Industrial (LI) Zone.

C. General Requirements.

(1) Outdoor dining uses or outdoor dining areas shall be permitted as accessory uses only in conjunction with a permitted restaurant.

(2) Outdoor dining areas shall be required to obtain site plan approval, including outdoor dining areas that are added to existing restaurants.

(3) No outdoor entertainment, music or public address system shall be permitted within the outdoor dining area.

(4) No exterior lighting that illuminates beyond the boundaries of the property or the outdoor dining area in excess of one-half ($\frac{1}{2}$) foot candle shall be permitted.

(5) In computing the number of off-street parking spaces required for restaurants with outdoor dining areas, the outdoor dining area and its seating capacity shall be included. However, where such outdoor seating represents a relocation of indoor seating

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(Continued)

such that there will be no increase in the overall seating capacity of the restaurant, such areas shall not be included.

(6) No signs other than a menu board shall be permitted outside the restaurant. Not more than one menu board shall be allowed for each outdoor dining use. The menu board shall not exceed four square feet. The menu board shall be attached to the abutting building or other location approved by the Planning Board, and shall be in compliance with Township Codes. All signage, including the menu board

and signage on awnings, canopies and umbrellas and other fixtures shall be in compliance with Township Codes regulating signage.

(7) In addition to the general submission requirements for site plan approval per Article V of Chapter 150, Land Development of Cranbury Township, an application for site plan approval for an outdoor dining area shall include all items required per § 150-39F.

D. Requirements for Outdoor Dining Areas in the Village Commercial (VC) Zone.

(1) In addition to obtaining site plan approval, outdoor dining uses in the Village Commercial (VC) Zone shall also be required to obtain and renew an outdoor dining license as provided for in Chapter 106 of the Code of the Township of Cranbury.

(2) Outdoor dining areas in the Village Commercial (VC) Zone shall be permitted entirely within the front yard of the property containing the restaurant, and/or wholly or partially within the sidewalk or the public right-of-way in front of the restaurant.

(3) In the event that the outdoor dining extends to a sidewalk in front of another space in the same building or an adjacent property, the licensee shall obtain the written permission of the owner(s) and/or tenant(s), if any, of the building or space abutting any additional sidewalk frontage.

(4) Outdoor dining areas that are to be located within the public right-of-way shall only be located on sidewalks that are at least eight (8) feet in width. Sidewalks less than eight (8) feet but more than six (6) feet in width may be considered for outdoor dining areas provided the additional public safety issues created by the narrower width, which issues would include sidewalk surface and separation of pedestrians from vehicular traffic, are adequately addressed.

(5) Outdoor dining areas within a public right-of-way shall be located in a manner that promotes efficient and direct pedestrian movement. A minimum of one unobstructed pedestrian path at least four (4) feet wide shall be maintained at all times. In areas of congested pedestrian activity, a wider pedestrian path may be required.

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(Continued)

(6) The perimeter around the outdoor dining area on a side within a public right-of-way may be delineated using nonpermanent fixtures such as railings, potted plants, decorative chains, or other approved fixtures. The permanent anchoring of tables, chairs, umbrellas, awnings, canopies, railings or other fixtures may be approved by the Planning Board, provided such anchoring meets all other applicable codes, ordinances and laws and the applicant provides adequate assurances that the sidewalk will be repaired in a manner consistent with Township, or in the case of an outdoor dining area within the public right-of-way of a County or State road, the County or State requirements concerning sidewalk repair, in the event any permanently anchored fixture is removed. The Planning Board may require as a condition of approval that any fixture not permanently anchored shall be removed from the outdoor dining

area during any time when the outdoor dining area or abutting business establishment is not open for business.

(7) Tables, chairs, umbrellas, canopies, awnings and any other fixtures shall be of uniform design and shall be made of quality materials and workmanship to ensure the safety and convenience of users and to enhance the visual quality of the village environment. Design, materials and colors shall be compatible with the restaurant to which it is accessory and shall be approved by the Planning Board.

E. Requirements for Outdoor Dining Areas in the Highway Commercial (HC) Zone, and within Planned Industrial Parks in the Research Office and Light Industrial (RO/LI) and Light Industrial (LI) Zones

(1) Outdoor dining areas shall not be located within fifty (50) feet of a residential zone boundary.

(2) Outdoor dining areas shall be set back twenty-five (25) feet from all property lines and ten (10) feet from all driveways and parking areas.

(3) Such setback area shall be suitably landscaped and screened as appropriate to block noise, glare, lighting and other potential impacts from adjoining properties, and from vehicular movements within the property.

F. Supplementary Site Plan Submission Requirements. An application for site plan approval for outdoor dining areas shall be submitted in accordance with Article V of Chapter 150, Land Development, of Cranbury Township. In addition to the required items specified in the Land Development Chapter, the applicant shall also submit the following additional material in written or graphic form and/or by oral testimony by qualified experts:

(1) For all outdoor dining areas in all districts where permitted.

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(Continued)

(a) Name, address, block and lot of all uses within two hundred (200) feet to either side of the property, including types of uses, and, in the case of mixed use, the location of use by level within a building;

(b) A drawing (drawn to scale) showing the layout and dimensions of the outdoor dining area.

(c) Seating capacity of the existing restaurant and the proposed outdoor dining area, and compliance of the restaurant with the parking requirements of the Township.

(d) Hours of operation for both the restaurant and the outdoor dining area itself.

(e) Lighting fixtures, including a lighting plan showing the foot-candles within the outdoor dining area, and an area extending fifty (50) feet beyond the outdoor dining area.

(2) Additionally, for outdoor dining areas in the Village Commercial (VC) Zone:

(a) The drawing shall include: the proposed location, size and number of tables, chairs, steps, umbrellas, awnings, canopies, location of doorways, trees, signs or menu boards, sidewalk benches, trash receptacles, railings, decorative chains and any other fixture, structure or obstruction either existing or proposed within the outdoor dining area;

(b) Photographs, drawings or manufacturers' brochures fully describing the appearance of all proposed tables, chairs, umbrellas, awnings, canopies or other fixtures related to the outdoor dining area;

(c) If any table, railing, awning, canopy or any other fixture is to be permanently anchored, such information shall be shown on the drawing.

Section 3. There is hereby added to Part I of the Code of the Township of Cranbury new Chapter 106, Outdoor Dining License, to read as follows:

Chapter 106

OUTDOOR DINING LICENSE

§ 106-1. Definitions

As used in this chapter, the following words and phrases shall have the meanings indicated:

LICENSEE means the holder of a valid outdoor dining license under the terms and provisions of this article.

SIDEWALK means that portion of a public street right-of-way between the curb line of a roadway and the adjacent property lines which is improved for use by pedestrians.

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(Continued)

OUTDOOR DINING USE means the use of a dining area located outside the confines of a building principally used as a restaurant in which food and beverage products are served.

OUTDOOR DINING AREA means any area designated on the subject property and/or on the sidewalk within the public right-of-way that is approved by the Township for use for outdoor dining. Outdoor dining areas are characterized by tables and chairs, and may be shaded by awnings, canopies, umbrellas, or other roofs or coverings, and shall include open porches.

MENU BOARD means a sign affixed to the building of a restaurant that displays the menu of such restaurant and is not freestanding.

§ 106-2. Outdoor dining license required; term; fee; annual renewal.

A. It shall be unlawful for any person to operate an outdoor dining use or area within the Village Commercial (VC) Zone in the Township of Cranbury without a license as provided by this article. An outdoor dining license issued for outdoor dining areas that are wholly or partially within a public right-of-way shall be a license to use the sidewalk for such purposes only and shall not grant nor shall it be construed or considered to grant any person any property right or interest in the sidewalk.

B. Each license shall be effective from January 1 until December 31 and shall be annually renewed upon the submission of an application and renewal fee provided all conditions of site plan approval and this chapter are met.

C. The annual license fee for establishing or maintaining an outdoor dining use shall be established by Township Committee by resolution.

D. The license fee shall be paid on or before January 1 and shall cover the time period from January 1 until December 31. For a license issued after December 1 and before December 31, the license fee shall be prorated on a per month basis.

E. In the case of an application for a renewal license only, if the outdoor dining use or layout is to be modified, the applicant shall first prepare and submit a new plan to the Township Zoning Officer, who shall determine whether such modification requires amended site plan approval from the applicable land use board.

§ 106-3. Application process.

A. Application for an initial outdoor dining license or a renewal license shall be made to the Township Clerk.

B. The application shall be accompanied by the following:

(1) Nonrefundable application fee.

(2) In the case of an initial application only, the resolution of approval from the appropriate land use board of the site plan for the outdoor dining use.

(2) In the case of a renewal application only, a signed certification from the applicant that all conditions of the site plan approval continue to be met.

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(Continued)

(4) Insurance certificate as set forth in subsection 106-6 below.

(5) Proof that the applicant holds a valid occupational license for a business establishment.

C. The Township Clerk shall approve or disapprove the application within fifteen (15) calendar days following its submission.

§ 106-4. Indemnification and insurance.

A. The licensee shall be required to obtain insurance to indemnify, defend, save and hold harmless the Township, its officers, agents and employees from any and all claims, liability, lawsuits, damages and causes of action that may arise out of this license or the licensee's activity regarding the outdoor dining area.

B. The licensee shall also be required to maintain insurance demonstrating coverage of the following types and in the following amounts:

(1) Commercial General Liability with coverage of combined single limits for bodily injury and property damage of at least one million dollars (\$1,000,000) per single occurrence and one million dollars (\$1,000,000) annual aggregate.

(2) Workers' compensation and employers' liability as required by the State of New Jersey.

C. The certificate of insurance shall name the Township of Cranbury as an additional insured and an endorsement must be issued as part of the policy to evidence compliance.

D. The Township shall receive at least thirty (30) days written notice prior to any cancellation, non-renewal or material change in the coverage provided.

E. The certificate shall remain in full force and effect for the term of the license.

§ 106-5. Conditions and limitations of license.

Outdoor dining licensed under this article shall be subject to the following rules and regulations:

A. The license issued shall be personal to the licensee and shall not be transferable.

B. The Township Administrator or Chief of Police may require the temporary removal of the outdoor dining area located within the public right-of-way by the licensee when street, sidewalk, or utility repairs necessitate such action or when it is necessary to clear sidewalks.

C. The Township Administrator or Chief of Police may cause the immediate removal or relocation of all or any part of the outdoor dining area located within the public right-of-way or its fixtures in emergency situations. The Township, its officers, agents and employees shall not be responsible for any damages or loss of outdoor dining

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(Continued)

fixtures relocated during such emergency situations and shall not be responsible for any costs associated with the removal or the return and installation of any outdoor dining fixtures.

D. The outdoor dining use shall be specifically limited to the outdoor dining area shown on the approved site plan submitted with the application for an outdoor dining license.

E. The licensee shall ensure that the outdoor dining area does not interfere with or limit the free unobstructed passage of sidewalk users in the approved pedestrian path.

F. Tables, chairs, umbrellas, canopies, awnings, porch roofs and any other fixtures used in connections with an outdoor dining area shall be maintained with a clean and attractive appearance and shall be in good repair at all times.

G. Tables, chairs, awnings, canopies, umbrellas and any other decorative material shall be fire-retardant or manufactured of fire resistant material.

H. No tables, chairs or any other fixtures used in connection with an outdoor dining area located within a public right-of-way shall be attached, chained, or in any manner affixed to any tree, post, sign or other fixture.

I. The outdoor dining area, including the area extending from the outdoor dining area to the street and five feet beyond either end, shall be maintained in a neat and orderly appearance at all times and shall be cleared of all debris on a periodic basis during the day and at the close of each business day.

J. Patrons may not be seated in the outdoor dining area prior to 7:30 a.m. or remain seated in the outdoor dining area after 10:00 p.m., and no table service in the outdoor dining area will be permitted after 9:30 p.m.

K. The licensee shall notify the Township Administrator and Chief of Police in writing at least 24 hours prior to the first day on which the operation of the outdoor dining use begins.

L. No food preparation shall be allowed within the outdoor dining area. There shall be no cooking, storage, cooling or refrigeration or other equipment located in the outdoor dining area.

M. The licensee shall be responsible for the repair of any damage to the sidewalk caused by the outdoor dining use.

N. Tables or chairs shall not be placed within four feet of fire hydrants or counter service windows, or within two feet of any building entrances and/or exits.

O. The operation or activities within the outdoor dining area shall not create undue noise, glare, littering, loitering, disorderliness or other such nuisance so as to be a detriment to adjacent businesses or residents living within 200 feet of the outdoor dining area.

Cranbury Township Ordinance # 08-06-20
(Continued)

P. The licensee shall comply with all applicable Township, County, State and federal regulations, laws or ordinances.

§ 106-6. Display of approved plan.

The licensee shall be required to display in a conspicuous location that portion of the approved site plan that shows the layout of the outdoor dining area.

§ 106-7. Denial, suspension or revocation of license.

A. An outdoor dining license may be suspended or revoked, or a license renewal denied, if the licensee has failed to correct violations of the ordinances or other applicable laws or regulations within three days of receipt of the Township's notice of same delivered in writing to the licensee.

B. Any violation of the terms of this chapter, of any condition of the license, or of any State, federal or local law or regulation will result in the revocation of the license and may further subject the licensee to any applicable penalties, including but not limited to the general penalties set forth in section 1-15 of this Code.

§ 106-8. Enforcement.

The provisions of this chapter shall be enforced by the Police Department, Zoning Officer and/or Health Officer as appropriate based on the nature of the violation.

§ 106-9. Appeals

A. Any person aggrieved by the actions of the Township Clerk in revocation or denial of an outdoor dining license shall have the right to appeal to the Township Committee.

B. Such appeal shall be made with the Township Clerk within ten (10) days after notice of the decision has been made.

C. Such appeal shall be in writing, including a written statement setting forth the grounds of the appeal, together with such fee as the Township Committee shall from time to time establish by resolution.

D. The Township Clerk shall set a time and place of hearing for the appeal at which time the Township Committee shall conduct a hearing to affirm, modify or reverse the decision appealed from.

§ 106-10. Severability.

If any section of this article is adjudged invalid, such adjudication shall apply only to the specific sections so adjudged and the remainder of the ordinance shall be deemed valid.

§ 106-11. Effective Date.

This ordinance will take effect upon its passage and publication and upon the filing of a copy of said ordinance with the Middlesex County Planning Board, as required by law, except that existing dining establishments shall have six months from the effective date of this ordinance to submit the site plan application required herein to the Planning Board.

Cranbury Township Ordinance # 08-06-20
(Continued)

Section 4. A copy of this ordinance will be referred to the Cranbury Township Planning Board for review following its introduction on first reading.

Ordinances
Second Reading

Cranbury Township Ordinance # 08-06-21

An Ordinance entitled, "Cranbury Township Ordinance # 08-06-21, AN ORDINANCE REAPPROPRIATING \$297,205.52 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN VARIOUS CAPITAL ORDINANCES IN AND BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY", was presented for second reading and final adoption. The Ordinance was published in the Cranbury Press, posted on the Township Bulletin Board and copies were available to the public. The Mayor opened the public hearing on the Ordinance. No one present wished to speak, so the hearing was declared closed. On motion by Ms. Stave, seconded by Mr. Stannard, the Ordinance was adopted by a vote:

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

Nays: (None

Resolution
Consent Agenda

Cranbury Township Resolution # R 08-06-115

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 # 08-06-116

Township of Cranbury
County of Middlesex

WHEREAS, the Township of Cranbury as Lead Agency for the Cooperative Pricing System of Mercer/Middlesex County #61 has advertised for bids for supplying of Rock Salt in two area newspapers:

Princeton Packet	6/29/06
Trenton Times	6/29/06

And

WHEREAS, seven packets of specifications were distributed upon request; and

WHEREAS, six bids were received at the bid opening; and

WHEREAS, three bids received were no bids; and

WHEREAS, three qualified bids were received at the bid opening held on Thursday, June 29, 2006 at 11:00 A.M., Conference Room F in the Municipal Center, 641 Plainsboro Road, Plainsboro, New Jersey; and

Cranbury Township Resolution # R 08-06-116
(Continued)

WHEREAS, the lowest responsible bidder was International Salt Company, LLC, 655 Northern Boulevard, Clarks Summit, Pennsylvania 18411; and

WHEREAS, International Salt Company, LLC has agreed to extend its prices to the other members of the Cooperative Pricing System of Mercer/ Middlesex County #61; and

WHEREAS, the Purchasing Officer has recommended that a master contract be awarded to International Salt Company, LLC at a cost of \$42.70 per ton for the Cooperative Pricing System of Mercer/Middlesex County #61 for the benefit of the registered participants with the responsibility for payment for commodities received by each participant being borne by each participant separately; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2006 Municipal Budget under 6-01-26-290-410

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the master contract for Rock Salt is hereby awarded to International Salt Company, LLC.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to execute the necessary contracts and the Purchasing Officer is hereby authorized to issue purchase orders on an as-needed basis per bid proposal and specifications on behalf of the Township.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby 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 August 28, 2006.

Kathleen R. Cunningham, Clerk

CRANBURY TOWNSHIP RESOLUTION 08-06-117

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE
MUNICIPAL BUDGET OF THE TOWNSHIP OF CRANBURY PURSUANT TO N.J.S.A. 40A:4-87
(CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

Section 1

NOW, THEREFORE, BE IT RESOLVED that the Township Committee hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2006 in the sum of \$5,858.61 which item is now available as a revenue from the State of New Jersey pursuant to the provision of statute, and

Section 2

Cranbury Township Resolution # R 08-06-117
(Continued)

BE IT FURTHER RESOLVED that a like sum of \$5,858.61 be and the same is hereby appropriated under the caption CLEAN COMMUNITIES GRANT.

Section 3

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

- (a) Director of the Division of Local Government Services
- (b) Township Auditor
- (c) Township Chief Financial Officer

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, NJ, hereby certify that the above is a true of a Resolution adopted by the Township Committee of the Township of Cranbury at a regular meeting held on August 28, 2006.

Kathleen R Cunningham, Township Clerk

CRANBURY TOWNSHIP RESOLUTION 08-06-118

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE
MUNICIPAL BUDGET OF THE TOWNSHIP OF CRANBURY PURSUANT TO N.J.S.A. 40A:4-87
(CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

Section 1

NOW, THEREFORE, BE IT RESOLVED that the Township Committee hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2006 in the sum of \$1,705.00 which item is now available as a revenue from the State of New Jersey pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$1,705.00 be and the same is hereby appropriated under the caption MUNICIPAL STORMWATER GRANT.

Section 3

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

- (a) Director of the Division of Local Government Services
- (b) Township Auditor
- (c) Township Chief Financial Officer

Cranbury Township Resolution # R 08-06-118
(Continued)

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, NJ, hereby certify that the above is a true of a Resolution adopted by the Township Committee of the Township of Cranbury at a regular meeting held on August 28, 2006.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 08-06-119

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

AWARDING CONTRACT FOR ONE 2000 GPM REAR MOUNT RESCUE/PUMPER APPARATUS

WHEREAS, after proper legal advertisement, one bid was received on August 8, 2006 for one **2000 GPM REAR MOUNT RESCUE/PUMPER APPARATUS** for the Township, which bid is valid for 60 days from the date received, as provided by New Jersey Law; and

WHEREAS, the bid received from Pierce Manufacturing, Inc., PO Box 2017, Appleton, WI 54912, complies with the specifications, and has been evaluated and recommended by the Fire Department and the special consultant retained by the Township for this purpose; and has been approved as to form by the Township Attorney; and

WHEREAS, the Pierce bid, in the amount of \$649, 860.00 is the lowest responsible bid for the Rescue/Pumper Apparatus; and

WHEREAS, the chief financial officer has certified that funds are available for this purchase;

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

- (1) The contract for one **2000 GPM REAR MOUNT RESCUE/PUMPER APPARATUS** is hereby awarded to Pierce Manufacturing, Inc., PO Box 2017, Appleton, WI 54912 for a total amount not to exceed \$649,860.00.

- (2) The Rescue/Pumper Apparatus shall be built in accordance with the requirements spelled out in the specifications and, pursuant to the Township's form of agreement contained in the specifications.
- (3) The Clerk is hereby authorized and directed to send a certified copy of this Resolution to Pierce Manufacturing, Inc.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution which was adopted by the Township Committee on August 28, 2006.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 08-06-120

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

A RESOLUTION AWARDED CONTRACT NO. 33 FOR THE CRANBURY BROOK PUMP STATION
INSTALLATION OF COMMINUTOR AND VARIOUS IMPROVEMENTS.

WHEREAS, pursuant to a duly advertised notice to bidders, six (6) bids were received on August 14, 2006 for completion of Contract No. 33, the Cranbury Brook Pump Station Installation of Comminutor and Various Improvements; and

WHEREAS, the apparent low bidder is B & H Contracting, Inc. of Folsom, New Jersey, with a bid for \$80,350.00; and

WHEREAS, the Township Engineer recommends that the contract be awarded to B&H Contracting, Inc. as the lowest responsible and responsive bidder; and

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds available for this contract.

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

1. The contract for the Cranbury Brook Pump Station Installation of Comminutor and Various Improvements be and hereby is awarded to B & H Contracting, Inc. of Folsom, New Jersey, for \$80,350.00, as the lowest responsible and responsive bidder.
2. The Mayor and Clerk are hereby authorized and directed to execute an agreement with B & H Contracting, Inc. consistent herewith.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, 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 August 28, 2006.

Kathleen R. Cunningham, Clerk

Cranbury Resolution # R 08-06-121

TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY

A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT TO RUDERMAN & GLICKMAN, P.C. TO SERVE AS THE TOWNSHIP'S LABOR RELATIONS COUNSEL DURING THE CALENDAR YEAR 2006

WHEREAS, N.J.S.A. 40:55D-71(b) authorizes the Township of Cranbury ("TOWNSHIP") to employ, contract for and fix the compensation of its experts and staff as it deems appropriate for the period January 1, 2006 to December 31, 2006; and

Cranbury Township Resolution # R 08-06-121
(Continued)

WHEREAS, TOWNSHIP wishes to contract for the services of a professional attorney to serve as the Township's labor relations counsel during the calendar 2006 without a "fair and open process" as defined by P.L. 2004, c. 19, the "Local Unit Pay-to-Play Law"; and

WHEREAS, RUDERMAN & GLICKMAN, P.C. ("LABOR RELATIONS COUNSEL") has submitted a proposal dated August 11, 2006, offering to provide the above-referenced professional services in accordance with the rates and costs set forth in the contract attached hereto; and

WHEREAS, TOWNSHIP has determined that the value of the contract over the above-referenced period may exceed \$17,500.00; and

WHEREAS, LABOR RELATIONS COUNSEL has completed and filed with the TOWNSHIP a Campaign Contributions Affidavit as required by N.J.S.A. 19:44A-20.2 *et seq.* certifying that LABOR RELATIONS COUNSEL has not made any prohibited contributions to a candidate committee or municipal committee representing the elected officials of the Township of Cranbury; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, authorizes the award of this contract without public or competitive bidding on the basis that it is a professional services agreement; and

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

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

1. The Township of Cranbury hereby appoints RUDERMAN & GLICKMAN, P.C. to serve the Township as its Labor Relations Counsel through December 31, 2006 and to supervise and coordinate the management of labor relations of the Township, including but not limited to participation in collective bargaining negotiations, grievances, administrative proceedings, arbitration, and litigation related thereto.

2. The Mayor and Clerk are hereby authorized and directed to enter into a Professional Services Agreement with the aforementioned Labor Relations Counsel pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.* This contract is being awarded without competitive bidding as a Professional Services Agreement under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons authorized by law to practice a recognized profession and whose practice is regulated by law.
3. A copy of this Resolution, the Certification of Contract Value, the Campaign Contributions Affidavit, and the executed Agreement shall be placed on file in the office of the Township Clerk.
- 4.. A brief notice of this action shall be published in a newspaper of general circulation in the Township of Cranbury within ten (10) days of its passage.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, do hereby certify that the foregoing resolution is a true copy of a Resolution passed by the Township Committee of the
Cranbury Township Resolution # R 08-06-121

(Continued)

Township of Cranbury at a regular meeting on August 28, 2006.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 08-06-122

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE REDUCTION OF A PERFORMANCE GUARANTEE FOR PRUDENTIAL INSURANCE PARKING

WHEREAS, by letter dated June 9, 2006, Prudential 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 August 16, 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	\$ 226,186.88
Cash Deposit	\$ 25,131.88

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

Performance Bond	\$ 96,937.24
Cash Deposit	\$ 10,770.80

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:

- (a) Township Engineer
- (b) Township Chief Financial Officer
- (c) Prudential
- (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 August 28, 2006.

Cranbury Township Resolution # R 08-06-122
(Continued)

Kathleen R. Cunningham Clerk

Cranbury Township Resolution # R 08-06-123

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

WHEREAS, there exists a need to extend the award deadline from 12-16-06 to 6-30-07 for the Fiscal Year 2005 Transportation Fund Act Municipal Aid Program, Liberty Way Construction to ensure that the allotment remains available for the Liberty Way Extension Project; and

WHEREAS, the current available allotment amount for Liberty Way Construction is \$223,000.00; and

WHEREAS, the New Jersey Department of Transportation has requested that the Township Committee of the Township of Cranbury adopt a Resolution requesting said extension of time from 12-16-06 to 6-30-07,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, that the Clerk is directed to send a certified copy of this Resolution to the New Jersey Department of Transportation upon its adoption.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, hereby certify that this is a true copy of a Resolution which was adopted by the Township Committee on August 28, 2006.

Kathleen R. Cunningham, Clerk

Reports from Township staff and professionals

Mr. Witt, Township Administrator, reported residents on Halsey Reed Road were allowed to hook up to New Jersey American Water Company service through the Monroe Township Municipal Utilities Authority and the residents were very happy about the ability to hook up to the water system. Mr. Witt also reported Joseph Carroll, who had erected a rail and post fence on the former West property (now the Cranbury Preserve) had sent a thank you letter to the Township and a check representing funds he

did not use. Mr. Witt commended Mr. Carroll and stated he had been one of the best scouts to work with on a project and the first to give the Township money back.

Ms. Waterbury, Township Attorney, indicated earlier in the evening she had distributed to Township Committee members, and the Administrator and Clerk, two memos on the Danser litigation and the Poling litigation and offered to discuss same in Closed Session at the September 11, 2006 meeting.

Reports from Township Boards and Commissions

There were no reports.

Work Session

a. Monthly Update on Revaluation by Steve Benner, Tax Assessor(Steve Benner)

Steve Benner, Tax Assessor, gave his monthly update on the Township's Revaluation. Mr. Benner stated as of the end of July, 90% of the lots had been completed, 78% of the homes and as of August 10th the number of homes inspected had increased to 82%. Mr. Benner also stated the appraisal firm had hired an additional person and planned to have most of the homes completed by the end of August. Mr. Benner added, the inspections on the commercial dwellings had begun and he would be accompanying the inspectors on September 6th for a "road tour" to see what had been done and what remains to be done. Mr. Benner stated the appraisers were on schedule thus far. Mr. Benner reported he had only received one negative comment since he gave his last report in July and that had been a misunderstanding as to the procedure followed by the appraisal company when a homeowner is not available. Mr. Benner commended the property owners for their understanding of the process and the appraisal company as well. Mayor Panconi asked if the total numbers included Temporary Certificates of Occupancy. Mr. Benner indicated the total did not and only included those who were on the Township's role since the beginning of the year. Mr. Benner indicated he was working with the appraisal company to make sure the new homes were added. Mayor Panconi asked Mr. Benner if he had any knowledge of how many Temporary CO's were out there. Mr. Benner indicated he updates them daily on an Excel spreadsheet.

b. Monthly report by Chief Jay Hansen(Jay Hansen)

Chief Jay Hansen and Captain Ed Kahler gave their monthly update of the Police Department to the Township Committee. Chief Hansen indicated the overtime was still within the anticipated range and the bike patrol had been out 22 times. Chief Hansen reported there had been 113 motor vehicle violation tickets issued; 60 for speeding. The Village area had 59 issued, 30 for other offenses; Route 130, 17 for other offenses; East of Route 130-1 speeding, 6 for other offenses. Of note: speeding violations were issued for: South Main Street: 45 m/p/h, North Main Street: 41 m/p/h, Old Cranbury Road: 42 m/p/h, Cranbury Neck: 50 m/p/h, Plainsboro Road: 57 m/p/h, South River Road: 90 m/p/h and Ancil Davison Road: 98 m/p/h. Mr. Stout asked what type of activity the bike patrol had been on. Chief Hansen stated they had been patrolling the Village area, the residential areas, as well as the business areas and had been going into the Township's parks. Chief Hansen reported there had been one violation of butchering pigs in August. Mayor Panconi announced that Captain Kahler is available to go out and give talks on home safety and had been before the Cranbury Mothers' Club. Captain Kahler indicated every year the Police Department puts out a flyer and goes out to various groups to give talks on proper prevention and personal safety. Captain Kahler explained suggestions are given on what types of alarm systems to purchase as well as locks and the Police were encouraging more and more residents to call if anything seems out of the ordinary. Captain Kahler reported the number of telephone calls to the Police Department

were increasing. Mayor Panconi commended Captain Kahler on his presentation to the Mothers' Club. Ms. Kathleen Argerrio, Stockton Drive, spoke of her concern with all the recent robberies in the Village area recently and asked what residents could do to help the Police. Captain Kahler stated the Police were working with a lot of towns—it is not just a Cranbury problem and hoped to shortly have news for the residents. Chief Hansen suggested if anyone notices anything to please call and recommended using cell phone technology to utilize the alert portion of their alarm system due to cut telephone lines by thieves recently. Captain Kahler offered to go out to residents to perform a security survey free of charge.

Public Comment (For those items not on the Agenda)

Cathy Frohbeiter, Cranbury Neck Road, spoke of her concern with the Township not having a service available to residents for composting. Mr. Witt indicated the largest costs to the Township would be a site and suggested making it a regional project with other towns joining in.

Mr. Witt indicated he would be glad to contact some of the towns to determine if they have an interest in the project.

Mayor's Notes

Mayor Panconi reported he had spoken with Rosemary Seghatoleslami, Chairperson of the Human Services Board, regarding appointing Jean Nostrand, 6 Stahl Lane, to the Board. The Township Committee members unanimously concurred with Mayor Panconi and Ms. Nostrand was appointed to the Human Services Board with a term expiring 12/31/2011.

Resolution

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

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

Nays: (None

Cranbury Township Resolution # R 08-06-114

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: Discussion with Police Chief on Departmental issues;

---Land Acquisition: Potential open space and/or farmland preservation acquisitions: Toscano & Reinhardt.

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 of when the need for confidentiality no longer exists.

Date: August 14, 2006

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

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

Nays: (None

Mr. Stout stated it was his understanding at the September 11th meeting, Viridian Partners would be attending the Township Committee meeting and Mr. Stout asked that the Township Engineer be present for discussion of Viridian's request to discuss a possible 208 amendment to the existing sewer system. Mr. Stout also requested a discussion take place at the September 11th meeting on the stream corridor ordinance. Mr. Stout directed the Clerk to call the Stony Brook Millstone Water Shed and invite Mr. Jim Whaltman, Executive Director to the September 11th meeting.

Ms. Stave asked Mr. Witt to call Mr. William Bunting in reference to the barn agreement with the Lions Club.

On motion by Mr. Stannard, seconded by Ms. Stave and unanimously carried, the meeting adjourned at 9:00 p.m.

Kathleen R. Cunningham, Clerk