

TOWNSHIP COMMITTEE MEETING  
MAY 23, 2005

The regular meeting of the Township Committee of the Township of Cranbury was held at 7:00 p.m. in the Town Hall Meeting Room. Answering present to the roll call were: Township Committee members: Thomas Panconi, Jr., Richard Stannard, David J. Stout, Pari Stave and Mayor Beauregard. Also present were: Trishka Waterbury, Esquire, Attorney, Cathleen Marcelli, Engineer, Frederick C. Carr, Administrator and Kathleen R. Cunningham, Clerk. Mayor Beauregard 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 6, 2004 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 6, 2004.
3. Was filed on December 6, 2004 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 May 9, 2005.

Reports and Communications

- Mayor
- Members of Committee
- Subcommittees and Ad Hoc Committees

Agenda Additions/Changes

Ms. Cunningham, Clerk, announced an item was being added to the Closed Session Resolution—Personnel; discussion of personnel items.

Ordinance

Second Reading

Cranbury Township Ordinance # 05-05-11

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 05-05-11, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTERS EIGHTEEN, NINETEEN AND THIRTY-EIGHT OF THE CODE OF THE TOWNSHIP OF CRANBURY, ENTITLED "FIRE DEPARTMENT," "FIRST AID SQUAD" AND "SALARIES AND COMPENSATION," RESPECTIVELY", 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 #, seconded by #, the Ordinance was adopted by a vote:

|       |  |                |
|-------|--|----------------|
| Ayes: | (Beauregard<br>(Panconi<br>(Stannard<br>(Stave<br>(Stout | Absent: (None  |
|       |  | Abstain: (None |

Cranbury Township Ordinance # 05-05-11  
(Continued)

Nays:           None

Ordinance  
Second Reading

Cranbury Township Ordinance # 05-05-12

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 05-05-12, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, INCREASING FEES FOR PURCHASING CERTIFIED COPIES OF VITAL RECORDS AND AMENDING CHAPTER EIGHTY-TWO OF THE CODE OF THE TOWNSHIP OF CRANBURY", was presented for second reading and final adoption. The Ordinance was published in the Cranbury Press, posted on the Township Bulletin Board and copies were available to the public. The Mayor opened the public hearing on the Ordinance. No one present wished to speak, so the hearing was declared closed. On motion by #, seconded by #, the Ordinance was adopted by a vote:

|       |  |   |
|-------|--|---|
| Ayes: | (Beauregard<br>(Panconi<br>(Stannard<br>(Stave<br>(Stout | Absent: (None<br><br><br>Abstain: (None |
|-------|--|---|

Nays:           None

Ordinance  
Second Reading

Cranbury Township Ordinance # 05-05-13

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 05-05-13, A BOND ORDINANCE PROVIDING FOR PHASE II OF THE CONSTRUCTION OF THE POLICE BUILDING IN AND BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$105,263 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$100,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF", was presented for second reading and final adoption. The Ordinance was published in the Cranbury Press, posted on the Township Bulletin Board and copies were available to the public. The Mayor opened the public hearing on the Ordinance. No one present wished to speak, so the hearing was declared closed. On motion by Ms. Stave, seconded by Mr. Panconi, the Ordinance was adopted by a vote:

|       |  |   |
|-------|--|---|
| Ayes: | (Beauregard<br>(Panconi<br>(Stannard<br>(Stave<br>(Stout | Absent: (None<br><br><br>Abstain: (None |
|-------|--|---|

Nays:           None

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

Cranbury Township Ordinance # 05-05-13  
(Continued)

The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Cranbury, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$105,263, including the sum of \$5,263 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$100,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

(a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the Phase II of the construction of the Police Building, including all work and materials necessary therefor and incidental thereto.

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

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

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.

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.

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

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 20 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

(Continued)

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 \$100,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

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

Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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.

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.

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

#### Resolutions/Proclamations

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

|  |                                     |
|--|-------------------------------------|
| Ayes: (Beauregard<br>(Panconi<br>(Stannard<br>(Stave<br>(Stout | Absent: (None<br><br>Abstain: (None |
| Nays: None   |                                     |

Cranbury Township Resolution # R 05-05-121

TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX

RESOLVED by the Township of Committee of the Township of Cranbury that it concurs with the request of the Fraternal Order of Police, Lodge 68, that in cooperation with the New Jersey Public Employment Relations Commission, a second collective bargaining unit be established consisting of the positions of lieutenant and captain.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a resolution, which was adopted by the Township Committee at a regular meeting on May 23, 2005.

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

Resolution  
Consent

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

|       |  |                                     |
|-------|--|-------------------------------------|
| Ayes: | (Beauregard<br>(Panconi<br>(Stannard<br>(Stave<br>(Stout | Absent: (None<br><br>Abstain: (None |
| Nays: | None   |                                     |

Cranbury Township Resolution # R 05-05-107

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 05-05-108

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, that Kathleen Wasson be appointed to the position of Deputy Treasurer, at an hourly rate of \$19.50, effective May 9, 2005.

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 May 23, 2005.

\_\_\_\_\_  
Kathleen R. Cunningham

Cranbury Township Resolution # R 05-05-109

RESOLUTION OF THE TOWNSHIP OF CRANBURY  
MIDDLESEX COUNTY, NEW JERSEY

A RESOLUTION APPROVING CHANGE ORDER NOS. 3, 5, 8, 10 AND 11 IN CONNECTION WITH THE  
POLICE BUILDING CONSTRUCTION

Cranbury Township Resolution # R 05-05-109  
(Continued)

WHEREAS, a contract for construction of a new Township police building was awarded to M&K Contracting, LLC for \$3,241,875.00 by resolution dated August 30, 2004 ("Contract"); and

WHEREAS, since execution of the Contract, Change Order Nos. 1, 2 and 4, each constituting minor field modifications with no change in contract amount, was approved by the Township Administrator and ratified by the Township Committee, and Change Order No. 7 increasing the Contract by \$1,910.00 was approved by the Township Committee by Resolution # R 04-05-084; and

WHEREAS, the Township Administrator has requested the Committee's approval of Change Order Nos. 3, 5, 8, 10 and 11 in connection with the above project; and

WHEREAS, the work comprising Change Order Nos. 3, 5, 8 and 11 would result in a net increase of \$29,148.00 above the original contract amount and is within the scope of the original project; and

WHEREAS, Change Order No. 10 would not result in any change in cost but instead, would extend the Contract completion date by an additional 21 days due to poor weather during the fall and winter months; and

WHEREAS, the Construction Manager, Architect and Chief of Police, in consultation with the Township Administrator, have recommended approval of Change Order Nos. 3, 5, 8, 10 and 11; and

WHEREAS, sufficient funds are available for this purpose as set forth on the attached Certification of Availability of Funds, prepared by the Chief Financial Officer;

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

1. Change Order Nos. 3, 5, 8, 10 and 11 are hereby approved.
2. This Resolution, when counter-signed by M&K Contracting, LLC, shall serve as a contract amendment to the original Contract for the purpose of increasing the contract price by an additional \$29,148.00 for a total contract amount of \$3,272,933.00 and extending the contract completion date by 21 days.

**CERTIFICATION**

I, Kathleen R. Cunningham, do hereby certify that the foregoing resolution is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on May 23, 2005.

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

Clerk

AGREED to this \_\_\_\_\_ of \_\_\_\_\_, 2005

ATTEST:

M & K CONTRACTING, LLC

\_\_\_\_\_ By:\_\_\_\_\_

Cranbury Township Resolution # R 05-05-110

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

A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT FOR ARCHITECTURAL  
AND DESIGN SERVICES TO EDAW, INC.

WHEREAS, there is a need for professional architectural and design services for the Township of Cranbury in connection with the development of ballfield facilities at property in the Township known as the Wright South Property; and

WHEREAS, EDAW, Inc., 104 W. 27th St, New York, NY 10001, in conjunction with Brown & Keener Bressi, has proposed to perform such services in a proposal dated March 2, 2005 as amended by Addendum dated May 23, 2005; and

WHEREAS, the Township of Cranbury wishes to retain EDAW to perform the professional architectural and design services set forth in its proposal and Addendum; and

WHEREAS, the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., allows the Township Committee to award a professional services agreement exceeding the bid threshold without competitive bidding; and

WHEREAS, the Local Public Contracts Law also requires that a Resolution authorizing the award of a professional services agreement be publicly advertised.

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached Agreement with EDAW, Inc. for the professional services described therein.
2. This contract is being awarded without competitive bidding as a "Professional Services" contract in accordance with the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because a service will be rendered or performed by a person or persons authorized by law to practice a recognized profession and whose profession is regulated by law.
3. A copy of this Resolution and the Agreement shall be placed on file in the Office of the Township Clerk, and shall be available for public inspection.
4. A notice of this action shall be published in the official newspaper as required by law.

CERTIFICATION

I, Kathleen R. Cunningham, do hereby certify that the foregoing resolution is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on May 23, 2005.

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

Cranbury Township Resolution # R 05-05-111

A RESOLUTION AWARDING A CONTRACT FOR A FIREWORKS DISPLAY IN HONOR  
OF INDEPENDENCE DAY

Cranbury Township Resolution # R 05-05-111

WHEREAS, the Township has scheduled a fireworks display in Village Park in honor of Independence Day on July 5, 2005, with a rain date of July 6, 2005; and

WHEREAS, International Fireworks Manufacturing Co., Inc. of Wayne, New Jersey [International Fireworks], has previously provided these services for the Township; and

WHEREAS, International Fireworks has provided satisfactory liability insurance and all other documentation required by the Municipal Excess Liability Joint Insurance Fund [MEL]; and

WHEREAS, MEL requires that the Township provide it a copy of all such documentation for its review and approval; and

WHEREAS, International Fireworks has provided a contract dated March 3, 2005 for the performance of the fireworks display, for a contract price of \$7,500.00; and

WHEREAS, the Township desires to engage the services of International Fireworks in accordance with the aforesaid contract;

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

1. The Mayor and Township Clerk, or the Township's Qualified Purchasing Agent, are hereby authorized and directed to sign the aforesaid March 23, 2005 contract with International Fireworks.

2. The Township Clerk is hereby directed to furnish a copy of this Resolution, along with a copy of the International Fireworks contract and related documentation, to the Municipal Excess Liability Joint Insurance Fund Risk Management Consultant for review and approval, and this Resolution shall not become effective until that approval is received.

3. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Township.

#### CERTIFICATION

I, Kathleen R. Cunningham, do hereby certify that the foregoing resolution is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on May 23, 2005.

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

Cranbury Township Resolution # R 05-05-112

#### A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT FOR LEGAL SERVICES FOR THE BOARD OF HEALTH OF THE TOWNSHIP OF CRANBURY

WHEREAS, there is a need for legal services for the Township of Cranbury Board of Health on an ongoing basis, and

WHEREAS, David E. Orron, Esquire, Huff, Moran & Orron, has submitted a proposed contract for providing these services at rates noted in the attached document, and

WHEREAS, funds are available for this purpose, and

Cranbury Township Resolution # R 05-05-112  
(Continued)

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



1. Mayor and Clerk of the Township of Cranbury are hereby authorized and directed to execute the attached Agreement with David E. Orron, Esquire, Huff, Moran & Orron, professional legal services for the year 2005, as set forth in said Contract, which is available for inspection at the Office of the Township Clerk.

2. This Contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contract Law, inasmuch as said Agreement is for services to be performed by persons authorized by law to practice a recognized profession which is not susceptible to competitive bidding and is of a qualitative nature.

3. A notice regarding the award of the Contract shall be published in the Cranbury Press within ten (10) days after passage of same if the Contract will exceed the bid limit.

**CERTIFICATION**

I, Kathleen R. Cunningham, do hereby certify that the foregoing resolution is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on May 23, 2005.

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

Cranbury Township Resolution # R 05-05-113

**TOWNSHIP OF CRANBURY**  
**COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

**RESOLUTION AWARDING CONTRACT FOR OFFICE SUPPLIES TO W.B. MASON COMPANY, INC.  
PURSUANT TO A MASTER AGREEMENT EXECUTED UNDER THE COOPERATIVE PRICING  
SYSTEM OF MIDDLESEX/MERCER COUNTY # 61**

WHEREAS, the Township of Cranbury is a member of the Cooperative Pricing System of Mercer/Middlesex County # 61 ("Cooperative Pricing System"); and

WHEREAS, pursuant to the Cooperative Pricing System, the lead agency is the Township of Plainsboro; and

WHEREAS, after public advertising for the receipt of bids as required by the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., by Resolution of the Township Committee of the Township of Plainsboro adopted April 13 2005, the Township of Plainsboro awarded a Master Contract to the lowest responsible bidder, W.B. mason Co., Inc. for Office Supplies at the following discounts from W.B. Mason Co., Inc.'s catalog prices:

|                                      |   |
|--------------------------------------|---|
| Furniture and Accessories            | 57.6% (for factory direct shipment to arrive in 25-40 days)<br>36.2% (for "quick ship" to arrive in 1-5 days) |
| Electronics and Computer<br>Supplies | 40.6%   |
| General Supplies                     | 69.2%; and  |

Cranbury Township Resolution # R 05-05-113  
(Continued)

WHEREAS, the Master Contract and Cooperative Pricing System permit a participating municipality to award a separate agreement to W.B. Mason Co., Inc. for the provision of Office Supplies pursuant to the Master Agreement by Resolution of its governing body; and

WHEREAS, Township of Cranbury seeks to award a contract for Office Supplies to w.B. Mason co., Inc. for Office Supplies for the not-to-exceed contract amount of \$20,000.00; and

WHEREAS, the 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 as follows:

1. The Qualified Purchasing Agent is authorized to execute such purchase orders as may be necessary with W.B. Mason Co., Inc. for Office Supplies as provided under the Master Contract for same within the Cooperative Pricing System of Mercer/Middlesex County #61 for a not-to-exceed contract amount of \$20,000.00. This amount may be increased by change order as permitted by law.

2. A copy of this Resolution and the agreement shall be placed on file in the Office of the Township Clerk, and shall be available for public inspection.

CERTIFICATION

I, Kathleen R. Cunningham, do hereby certify that the foregoing resolution is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on May 23, 2005.

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

Cranbury Township Resolution # R 05-05-114

**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 established:

| <u>BLOCK</u> | <u>LOT</u> | <u>ADDRESS</u>       |
|--------------|------------|----------------------|
| 20           | 10.02      | 13 Old Cranbury Road |

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 May 23, 2005.

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

Cranbury Township Resolution # R 05-05-115

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

**A RESOLUTION RATIFYING THE SALE OF FOUR (4) TOWNSHIP VEHICLES BY PUBLIC AUCTION**

WHEREAS, Cranbury Township is a member of the Cooperative Pricing System of Mercer/Middlesex County # 61 ("Cooperative Pricing System"); and

WHEREAS, pursuant to the Cooperative Pricing System, the lead agency is Plainsboro Township; and

WHEREAS, pursuant to the Cooperative Pricing System, Plainsboro Township annually holds a public auction at which time participating members of the Cooperative Pricing System, including Cranbury Township, participate and offer for sale property no longer needed for public use; and

WHEREAS, on April 16, 2005 Plainsboro Township held a public auction at which various items of personal property were sold; and

WHEREAS, public notice of the date, time and place of the April 16, 2005 public auction was published by Plainsboro Township in Plainsboro Township's official newspaper; and

WHEREAS, at Plainsboro Township's April 16, 2005 public auction, in addition to the personal property of other participating municipalities, the following four (4) Cranbury Township-owned vehicles were sold to three bidders at the following prices:

|                          |            |
|--------------------------|------------|
| 1986 Chevy Blazer        | \$ 100.00  |
| 1995 Chevy Caprice       | \$1,900.00 |
| 2001 Ford Crown Victoria | \$4,500.00 |
| 2001 Ford Crown Victoria | \$3,800.00 |

WHEREAS, at least sixteen (16) persons participated in the April 16, 2005 public auction; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-36, requires that prior to the sale of municipal property exceeding the value of \$3,750.00 at any one auction, the sale shall be authorized by resolution of the governing body and notice of the date, time and place of the public auction, together with a description of the items to be sold, shall be published in an official newspaper, and

WHEREAS, due to an oversight, the Cranbury Township Committee had not previously authorized the sale of Cranbury Township's vehicles, nor was notice of the time, date and place of the auction and items to be sold previously published in Cranbury Township's official newspapers; and

WHEREAS, the purchaser of the two 2001 Ford Crown Victorias is a licensed tax cab operator in the City of New Brunswick and has since incurred substantial additional expenses in preparing both vehicles to be used as tax cabs in the City of New Brunswick on or before June 1, 2005 and for these reasons is unwilling to return the vehicles without compensation for same; and

WHEREAS, it is unclear at this time whether the purchasers of the 1986 Chevy Blazer and 1995 Chevy Caprice would be willing to voluntarily return the vehicles for the purpose of

Cranbury Township Resolution # R 05-05-115  
(Continued)

redoing the auction could result in costly litigation;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury, in the County of Middlesex, that the Township hereby ratifies the sale of the following four (4) vehicles, no longer needed for public uses, at the following prices at the April 16, 2005 public auction held by Plainsboro Township:

|                    |            |
|--------------------|------------|
| 1986 Chevy Blazer  | \$ 100.00  |
| 1995 Chevy Caprice | \$1,900.00 |

|                          |            |
|--------------------------|------------|
| 2001 Ford Crown Victoria | \$4,500.00 |
| 2001 Ford Crown Victoria | \$3,800.00 |

BE IT FURTHER RESOLVED that although the sale did not meet the "letter" requirements of N.J.S.A. 40A:11-36, in view of the fact that there were at least sixteen (16) other bidders participating in the auction and notice of the time and place and date of the public auction had been published by Plainsboro Township, the Township believes the "spirit" of the statute was met.

#### CERTIFICATION

I, Kathleen R. Cunningham, do hereby certify that the foregoing resolution is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on May 23, 2005.

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

Resolution # R 05-05-113 - Resolution awarding contract for Office Supplies to W.B. Mason Company, Inc. Pursuant to a Master Agreement executed under the Cooperative Pricing System of Middlesex/Mercer County #61.

Resolution # R 05-05-114 - Resolution establishing a street address for KHOV pump station, Block 20, Lot 10.02 (13 Old Cranbury Road)

Resolution # R 05-05-115 - Resolution ratifying the sale of four (4) Township vehicles by public auction

Resolution # R 05-05-116 - Resolution awarding a Professional Services Agreement for McManimon & Scotland (Township Bond Counsel)

Resolution # R 05-05-117 - Resolution awarding a Professional Services Agreement for Labor Relations legal services for the Township of Cranbury. (Police Legal Counsel)

Resolution # R 05-05-118 - Resolution authorizing a contract with Nextiraone, LLC for telecommunications equipment under State Contract No. 42296, Index No. T-1316

Resolution # R 05-05-119 - Resolution canceling various balances for outstanding ordinances.

1. Reports from Township Staff and Professionals
2. Reports from Township Boards and Commissions
  - a. Parks and Recreation Commissions
  - b. Environmental Commission

3. Work Session

- a. Police Station Update

Mark Berkowsky of Berkowsky and Associates, Inc. will update the current status of the construction of the new

Township Committee on

Police Building.

b. Wright South (Cathy Marcelli)

The Township Engineer will update the Township Committee on the current progress of the clean up of the Wright South Property.

4. Public Comment (For any items not on the agenda)
5. Closed Session – Resolution # R 05-05-106 –
  - Review of Closed Session Minutes from May 9, 2005;
  - Land Acquisition: Discussion of possible land acquisitions.
6. Approval of Closed Session Minutes of Committee Meeting of May 9, 2005.
7. Adjourn

\*\*\* Persons with disabilities requiring assistance, please contact Town Hall 24 hours in advance  
(609) 395-0900, ext. 231