

The regular meeting of the Township Committee of the Township of Cranbury was held at 7:00 p.m. in the Town Hall Meeting Room. Answering present to the roll call was: Township Committee members: Thomas Panconi, Jr., Richard Stannard, David J. Stout, and Mayor Beauregard. Also present were: Trishka Waterbury, Esquire, Attorney, Thomas C. Witt, Acting 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.

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 2, 2003 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 2, 2003.
3. Was filed on December 2, 2003 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 July 11, 2005

On motion by Mr. Stannard, seconded by Mr. Panconi and unanimously carried, the minutes for July 11, 2005 were adopted.

Reports and Communications

- Mayor
- Members of Committee
- Subcommittees

Resolution

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

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

Nays: None

Cranbury Township Resolution # R 07-05-148

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:

1. --Contract Negotiations; Contract Negotiations and Matters Requiring Confidential Advice of Counsel regarding Township's Third Round Affordable Housing Obligation.
2. --Contract Negotiations: Potential terms of sale of Barclay Farm and lease of same;
2. -- Review of Closed Session Minutes of July 11, 2005;

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: July 25, 2005

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

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

Nays: (None

Agenda Additions/Changes

Ms. Cunningham, Clerk, announced there were two changes to the Agenda: The addition of Resolution # 07-05-155, insertion of an item of revenue in the budget for "Click It or Ticket" and after Resolutions, "Township Committee Appointments—County Housing and Community Development Committee".

Ordinances

Second Reading

Cranbury Township Ordinance # 07-05-19

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 907-05-19, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,

AMENDING CHAPTERS 2,3,4 AND 5 OF THE CODE OF THE TOWNSHIP OF CRANBURY, ENTITLED "TOWNSHIP COMMITTEE," OFFICERS AND EMPLOYEES," RESERVED," AND "POLICE DEPARTMENT," 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 Mr. Panconi, seconded by Mr. Stannard, the Ordinance was adopted by a vote:

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

Resolutions Consent Agenda

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

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

Cranbury Township Resolution # R 07-05-149

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 07-05-150

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

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

WHEREAS, by letter dated June 21, 2005, Rockefeller Group 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 July 6, 2005 (attached hereto as "Exhibit A") recommended that the performance guarantee be reduced and the amount that shall be **released** is as follows:

Performance Bond	\$ 740,184.48
	Cranbury Township Resolution # R 07-05-150 (Continued)

Cash Deposit	\$ 82,242.72
--------------	--------------

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

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

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) Glen 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 July 25, 2005.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # 07-05-151

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

**A RESOLUTION AUTHORIZING THE RELEASE OF K HOVNANIAN'S WINTERIZATION BOND
RELEASE**

WHEREAS, K Hovnanian has deposited with Cranbury Township a \$1,000.00 escrow deposit each for the following Block and Lots:

	<u>Lot/Block</u>	<u>Address</u>	<u>Amount</u>	
	20.15/8	80 Labaw Drive	\$1,000.00	
	20.15/4	72 Labaw Drive	\$1,000.00	
	20.15/1	66 Labaw		
Drive	\$1,000.00		20/10.70	64 Labaw
Drive	\$1,000.00			
	20/10.69	62 Labaw Drive	\$1,000.00	
	20/10.68	60 Labaw Drive	\$1,000.00	
	20/10.47	9 Longstreet Lane	\$1,000.00	
	20/10.44	6 Longstreet Lane	\$1,000.00	
	20/10.22	18 Hagerty Lane	\$1,000.00	
	20.08/11	14 Spraul Lane	\$1,000.00	

Cranbury Township Resolution # R 07-05-151
(Continued)

20.08/10	16 Spraul Lane	\$1,000.00
20.08/15	6 Spraul Lane	\$1,000.00
20.08/14	8 Spraul Lane	\$1,000.00
20.08/17	2 Spraul Lane	\$1,000.00
20.08/16	4 Spraul Lane	\$1,000.00
20.08/7	11 Mershon Lane	\$1,000.00
20.08/6	9 Mershon Lane	\$1,000.00
20.08/9	15 Mershon Lane	\$1,000.00

Total To be Released: \$18,000.00

WHEREAS, K. Hovnanian has requested the release of said deposit.

WHEREAS, Hatch, Mott, MacDonald, Township Engineers, has authorized the release of the said deposit for all locations listed above

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury authorizes the release of the above escrow deposit.

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 Attorney
- (b) Township Chief Financial Officer
- (c) Chris Fazzaro, K Hovnanian
- (c) Township Engineer

CERTIFICATION

I 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 July 25, 2005.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 07-05-152

WHEREAS, the County of Middlesex was late in setting the tax rate for Cranbury Township for the year 2005; and

WHEREAS, this will cause a delay in releasing the tax bills for Cranbury Township for the third quarter for year 2005;

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the grace period for the payment of 3rd quarter 2005 taxes be extended to 25 days after the date the tax bills are mailed (July 22, 2005).

CERTIFICATION

I, Kathleen Cunningham, hereby certify the above to be a true copy of a Resolution adopted by the Township Committee of the Township of Cranbury at a regular meeting held on July 25, 2005.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 07-05-153

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

RESOLUTION AWARDING A MASTER CONTRACT FOR GASOLINE, DIESEL FUEL AND # 2
HEATING FUEL

WHEREAS, the Township of Cranbury as lead Agency for the Cooperative Pricing System of Mercer/Middlesex County has advertised for bids for supplying of Gasoline, Diesel and #2 Heating Fuel in two area newspapers:

Princeton Packet	5/17/05
Trenton Times	5/17/05

and

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

WHEREAS, two bids were received at the bid opening held on Thursday, June 9, 2005, at 11:00 A.M., Conference Room F, Municipal Center, 641 Plainsboro Road, Plainsboro, New Jersey; and

WHEREAS, the lowest responsible bidder was Pedroni Fuel Company; and

WHEREAS, Pedroni Fuel Company 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 Pedroni Fuel Company, 385 Wheat Road, Vineland, New Jersey 08360 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 Purchasing Officer has recommended that a contract be awarded to Pedroni Fuel Company based on the Newark, New Jersey low reseller Tank Car Price as published in the Journal of Commerce on the day of delivery plus a delivery charge as follows:

Diesel Fuel	- \$.1300 per gallon
Gasoline	- \$.1100 per gallon
# 2 Heating Fuel	- \$.3900 per gallon

and

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2005 Municipal Budget under Motor Fuel – Operating Expenses.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the master contract for Diesel Fuel, Gasoline and #2 Heating Fuel is hereby awarded to Pedroni Fuel Company at the prices listed above.

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 as needed per bid proposal and specifications on behalf of the Township.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution, which was adopted by the Township Committee of the Township of Cranbury at a meeting held on July 25, 2005.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 07-05-155

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 2005 in the sum of \$4,000.00 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 \$4,000.00 be and the same is hereby appropriated under the caption Click It or Ticket.

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 July 25, 2005.

Kathleen R Cunningham, Township Clerk

Reports from Township staff and professionals

Reports from Township Boards and Commissions

Work Session

- a. Presentation by Max Spann Auctioneers on E. Barclay Auction (9/23/05) and the future auction of Barclay North and South.
Dan ??? of Max Spann Auctioneers will give a presentation to the Township Committee on the upcoming auction of E. Barclay and the future auction of Barclay North and South.
- b. Regional Contribution Agreement
The Township Committee will discuss an update by the Mayor for a proposed Regional Contribution Agreement.
- c. Sidewalk Repairs Update
Thomas Witt, Acting Administrator, will give an update on the sidewalk repair project.

Work Session

- e. Police Station Update
Mark Berkowsky of Berkowsky and Associates, Inc. will update the Township Committee on the current status of the construction of the new Police Building.
13. Public Comment (For any items not on the agenda)
 15. Closed Session – Resolution # R 07-05-148
-- Review of Closed Session Minutes of July 11, 2005;
 16. Approval of Closed Session Minutes of Committee Meeting of July 11, 2005.
 17. Adjourn
- *** Persons with disabilities requiring assistance, please contact Town Hall 24 hours in advance
(609) 395-0900, ext. 234