

TOWNSHIP COMMITTEE MEETING  
February 8, 2010

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: Winthrop Cody, David Cook, Richard Stannard, James Taylor and Mayor David Stout. Also present were: Trishka Waterbury, Esquire, Attorney; Christine Smeltzer, Administrator and Kathleen R. Cunningham, Clerk. Mayor Stout led in the salute to the flag and Ms. Cunningham gave the following Open Public Meetings Act statement:

In accordance with Section 5 of the Open Public Meetings Act, it is hereby announced and shall be entered into the minutes of this meeting that adequate notice of this meeting has been provided:

- (1) Posted on December 3, 2009 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 3, 2009.
- (3) Was filed on December 3, 2009 at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey, posted on the Township's web site and remains on file for public inspection, and
- (4) Sent to those individuals who have requested personal notice.

**Public Hearing - Community Development Block Grant**

Mayor Stout opened the Public Hearing on the Community Development Block Grant at 7:02 p.m.

Ms. Cunningham, Clerk, stated notice of the Public Hearing had been advertised in The Cranbury Press on Friday, January 29, 2010, posted on the Township's web site, posted on the Township's Bulletin Board, posted at the Cranbury Public Library and in the Senior Center at Town Hall.

Mr. Mark Berkowsky, Cranbury Housing Associates, stated in the past the Township typically has used the grant monies for affordable housing support and if the Township is allowed to use the monies for engineering or architectural services it will be used for that. If not (sometimes the County does not allow it to be used for "soft costs") then the monies will be used for site utility purposes for affordable housing at the Route 130-D site.

Mayor Stout opened the meeting for public comment. Hearing none, Mayor Stout closed the meeting at 7:05 p.m.

**Presentation by Mark Berkowsky, President, Cranbury Housing Associates.**

Mr. Mark Berkowsky, President, Cranbury Housing Associates ("C.H.A.") gave a presentation to the Township Committee and the public on the management and funding of the Township's Affordable Housing Plan. Mr. Berkowsky gave a brief summary of the history of C.H.A., reviewed the various affordable housing developments C.H.A. has built and reported Piazza & Associates handles the applications and screening process for all of the Township's affordable housing. Mr. Frank Piazza, Piazza & Associates then explained how candidates are screened and selected for rental, purchase and senior housing units.

**Note:** To see Mr. Berkowsky's full presentation (with a direct link to Cranbury Housing Associates), please go to the Township's web site. On the left-hand side click on "Cranbury and Affordable Housing".

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Resolution

On motion offered by Mr. Cody, seconded by Mr. Taylor, the following resolution was adopted by vote:

Ayes: (Cody	Abstain: (None
(Cook	Absent: (None
(Stannard	
(Taylor	
(Stout	

Nays: (None

TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 02-10-030

WHEREAS, Cranbury Township has applied for \$29,700.00 from the Community Development Block Grant (CDBG) earmarked to be used for its Third Round Affordable Housing Program; and

WHEREAS, Cranbury Township has submitted its Third Round Affordable Housing Plan;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury it hereby requests the \$29,700.00 in grant monies be used to defray some of the costs related to assist in the development of or rehabilitate low-to-moderate income housing in the Township of Cranbury.

Township Committee Minutes for Regular Meeting of January 11, 2010

On motion by Mr. Cody, seconded by Mr. Taylor and unanimously carried, the regular minutes of January 11, 2010 were adopted.

Closed Session Minutes for Meeting of January 11, 2010

On motion by Mr. Cody, seconded by Mr. Stannard and unanimously carried, the Closed Session Minutes of January 11, 2010 were adopted. Ms. Cunningham, Clerk, noted the minutes will be able to be released to the public until such time as the issues are resolved.

Township Committee Minutes for Regular Meeting of January 16, 2010

Mr. Stannard recommended holding the Budget Meeting minutes of January 16, January 23, 2010 until the next meeting of February 22<sup>nd</sup>. All Township Committee members unanimously agreed.

Reports and Communications

--Mayor

Mayor Stout thanked the Township's Public Works Department for a great job with the recent snow storm this past weekend as well as the Police and emergency services personnel.

Mayor Stout reported he had received a letter from Plant Food located on Cranbury-Hightstown Road concerning the condition of Brickyard Road. The area is in the location of Mid-State Filigree and asked Ms. Smeltzer, Administrator, to contact the Township Engineer to ask him to go out to the site. Mayor Stout reported he did speak with Mr. Ted Platz of Plant Food and indicated to him that he would be speaking to the Township Committee and get approval to send the Engineer out to the site.

--Members of Committee

Mr. Taylor reported he had met with the Fire Company and representatives of the First Aid

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Reports and Communications (Continued)

--Members of Committee

Mr. Taylor (cont'd)

Squad. In December there were 14 calls; three (3) occurred during the day and the Public Works employees were able to attend one (1) call each. In January there were 15 calls; three (3) during the day and 12 during the evening hours. Of those 15 calls, five (5) were mutual-aid calls. Also, the Fire Department has reported, after careful review, there is a water tanker in need of replacement and will be using their funds to purchase a new tanker.

Mr. Cody reported there has been a lot of activity at the Zoning Board and DRC level. He stated the Verde Group had appeared before the Zoning Board and was denied its application for a small retail on South River Road. Also Buy-Rite Liquors came in for their first meeting with an application to build a 4-story hotel, restaurant/conference center and wine store on their present site. At the DRC meeting The Viridian Group (the former Unexcelled property) attended the meeting with a proposal to build warehouses at the Brickyard Road property and try to get a road approved north of the site. They will be coming back to the DRC to discuss sewer. Prologis Developers also came before the DRC to discuss having a "Cranbury Solar Park" at its present site. Mr. Cody reported no approval is needed by either the Zoning or Planning Boards, however, they will need a construction permit. Mr. Judson Hagerty also attended the DRC meeting and urged the Township when it works on the Master Plan revision to let him know what he can do with his property. Mr. Cody also reported he had met with the School Board and everyone is trying to work on the issue of the extra rooms/rent for the Recreation Board's Summer Camp Program. Also discussed at the meeting was the ball field and how the \$175,000 grant the Township received is going to be used. The possibility of installing a well was discussed and installing the well on the School property vs. the Township's property as it may be a more cost-effective method. The Township Engineer will discuss this issue with Mr. Jeff Graydon, Director of Fields for the Township.

Mr. Stannard reported he had attended a Historical Preservation Commission meeting and there had been a discussion regarding the boundaries of the historical preservation's "buffer zone" as the wording is not correct and there is the possibility the ordinance may have to be amended.

Mr. Taylor reported he had sent an email to Mr. Stannard concerning the Cranbury Historical Society's request to use the Township Seal to use on a flag. The Society has said they will bring it before the Township Committee. Ms. Cunningham, Clerk, reported any time anyone wants to use the Township Seal permission is needed from the Township Committee. Mayor Stout asked to see the proposed flag.

--Subcommittees

Mr. Cody reported (COAH subcommittee) Ms. Lucie Vandenberg, Director, is no longer the Director and is now working as "Special Aide to the Mayor" in the City of Camden.

Mr. Cook (COAH subcommittee) reported he and Mr. Wahlers went to Trenton last week for the initial public review of Senator Lesniak's Bill, S-1 (This bill would abolish COAH and re-introduce RCAs until December, 2011). In those discussions there was a lot of support from both Republican Legislators as well as Democratic Legislators. Also in support of the legislation are mayors. Mr. Cook reported the Appellate Court as well as the Governor are supporting the Senator's legislation and there will be significant changes in the affordable housing criteria in New Jersey. Mr. Cook indicated the next hearing on the legislation will be March 8<sup>th</sup> in Trenton. Mayor Stout reported Cranbury Township will be protected.

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Resolutions  
Consent Agenda

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

Ayes:	(Cody	Abstain:	(None
	(Cook	Absent:	(None
	(Stannard		
	(Taylor		
	(Stout		

Nays: (None

Cranbury Township Resolution # R 02-10-031

*Mr. Cody stated at the last meeting a bill from Hatch Mott MacDonald had been held as there were questions about two (2) inspections performed and asked if the questions have been answered. Ms. Smeltzer indicated she will check on the issue.*

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 02-10-032

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION  
MONIES TO OUTSIDE LIEN HOLDER**

**WHEREAS**, at the Municipal tax sale held on October 20, 2009, a lien was sold on Block 23 Lot 155 known as 173-175 Plainsboro Rd.. for 2008 delinquent taxes; and

**WHEREAS**, this lien, known as Tax Sale Certificate#02-09 was sold to Schwab Tax Lien Services LLC for a redemption fee; and

**WHEREAS**, U.S. Department of Agriculture, Farm Service Agency has effected redemption of Certificate#02-09 in the amount of \$828.51;

**NOW, THEREFORE, BE IT RESOLVED**, that the Treasurer be authorized to issue a check in the amount of \$828.51, payable to Schwab Tax Lien Services LLC, P.O. Box 131, Lakewood, N.J. 08701-131.

Cranbury Township Resolution # 02-10-033

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION  
MONIES TO OUTSIDE LIEN HOLDER**

**WHEREAS**, at the Municipal tax sale held on October 20, 2009, a lien was sold on Block 19 Lot 14 known as 18 Old Cranbury Rd. for 2008 delinquent taxes; and

**WHEREAS**, this lien, known as Tax Sale Certificate#01-09 was sold to U.S. Bank-Cust/Sass Muni VI dtr for a redemption fee; and

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Cranbury Township Resolution # 02-10-033  
(Continued)

**WHEREAS**, Wachovia Mortgage has effected redemption of Certificate#01-09 in the amount of \$21,154.11.

**NOW, THEREFORE, BE IT RESOLVED**, that the Treasurer be authorized to issue a check in the amount of \$21,154.11, payable to U.S. Bank-Cust/Sass Muni V1 dtr c/o U.S. Bank Corporate Trust Services, Tax Lien Services Grp. , 2 Liberty Place, 50 South 16<sup>th</sup> Street- Suite 1950, Philadelphia, Pa. 19102.

*Mayor Stout reported the Township should make sure that the cash deposit required has been posted and this resolution should be adopted contingent upon that condition. Ms. Smeltzer will follow up.*

Resolution

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

Ayes: (Cody	
(Cook	Abstain: (None
(Stannard	Absent: (None
(Taylor	
(Stout	

Nays: (None

Cranbury Township Resolution # R 02-10-034

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

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

WHEREAS, by letter dated January 28, 2010 has requested the reduction of their performance guarantee previously posted with the Township in accordance with Planning Board approval and

WHEREAS, the Township Engineer has, in a letter dated January 18, 2010 (attached hereto as "Exhibit A") recommended that the performance guarantee be reduced and the amount that shall be **released** is as follows :

Performance Bond	\$ 87,885.32
Cash Deposit	\$ 1,919.44

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

Cash Deposit	\$ 7,845.60
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**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".

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Cranbury Township Resolution # R 02-10-034  
(Continued)

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 Director of Finance
- (c) Ingegneri, Thomas
- (d) Township Attorney

Agenda Additions/Changes  
There were none

Reports from Township Staff and Professionals

Chief Edward Kahler gave his monthly report for the month of January, 2010. Chief Kahler reported there had been a total of 160 summonses; 23-speeding, nine (9) cell phone violations. Expenditures; highest to lowest—shift coverage, shift extensions and Department Meeting/Training. The Traffic Bureau reported 22 crashes in December. The recent snow and ice conditions have caused a jump in the number of motor vehicle crashes and disabled vehicles. The Detective Bureau reported 23 new investigations and ten (10) closed investigations. Chief Kahler reported the Department is in the process of scheduling CERT meetings and training. The Bicycle Patrol had not been out during the month of January, 2010. The vehicle mileage was 14,799 miles. There were 11 arrests; Primary Charges: D.W.I. – 7, Assault-0, Burglary-1, Theft-0, Warrants-2 and CDS (Drugs)-1. He stated John Blake, an attorney from the law firm of Marciano and Topazio sent a letter of commendation. Mr. Blake stated that “the quality of Officer Mayer's report is excellent”. Mr. Cook asked Chief Kahler if he has seen any spike in activity that is outside of “seasonal adjustment” and if any of the violations have gone up. Chief Kahler responded actually the numbers have gone up from 2008 from 38-D.W.I. arrests to 78 arrests in 2009). Chief Kahler attributed a lot of the D.W.I. arrests to the knowledge of Patrolman Paul Lindenfeld who is a “Drug Recognition Expert”. Patrolman Lindenfeld is also a paramedic. Chief Kahler reported the number of arrests has also been noticed by the State.

Administrator's Report

Ms. Smeltzer reported the Township has received a \$100,000 grant from Middlesex County to address buildings. She stated the Township has been working with the Fire Company. They recently received new infra-red heaters. The new Fire House garage door issue has been resolved and the vendor has replaced the defective door. The Township is looking at purchasing new windows for the Pubic Works Building to make it more energy efficient. Ms. Smeltzer indicated the Township may end up with an additional \$20,000 to spend and recommended discussing this at a budget meeting.

Work Session

a). Presentation by the Helene Cody Foundation

Ms. Linda Cody gave a presentation to the Township Committee for approval for the 2010 Cranbury Day 5K Run. Ms. Cody reported the purpose of coming before the Township Committee this evening is to request the Helene Cody 5K Race be held again this year on Cranbury Day. Ms. Cody stated Helene Cody had originally proposed holding the 5K Race as part of her Girl Scout “Gold Award Project” before her untimely death from a brain aneurysm in 2008. Greg Carroll, Helene's classmate,

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Work Session

a). Presentation by the Helene Cody Foundation(cont'd)

hosted the event for his Eagle Scout Award last year and it was an “amazing event with more than 550 runners”. Ms. Cody reported approximately \$20,000 was raised and the event was supported by many families and corporations in Cranbury Township. Ms. Cody thanked Chief Kahler for providing police support, the Fire Company, First Aid Squad and Public Works. Ms. Cody reported the mission of the Helene Cody Foundation is to “inspire youth to volunteer to better their communities and themselves”. Ms. Cody explained as part of the mission, they assist youth who work on various projects such as the race and match up youth with adults to do portions of the race. The Foundation also works with youth to do volunteer work out of “Home Front” in Trenton. The Foundation also gives two (2) high school scholarships and an 8<sup>th</sup> Grade Award, and just hosted a coat drive with the Cranbury School and student government. The Foundation is also assisting Peter Sockler with his Eagle Scout Award trail project as well as doing volunteer work at Princeton Medical Center. Ms. Cody passed out copies of the proposed race route and reported the race for 2010 has been sanctioned by U.S.A.T.F. and they will provide liability insurance. All Township Committee members unanimously approved the Helene Cody 5K Race on Cranbury Day, September 11, 2010. The Township Committee unanimously approved the request from the Helene Cody Foundation to hold the 5K Race on Cranbury Day.

b). Discussion of Township Committee’s Decision on Tree Placements for the Turnpike Widening Project.

Mayor Stout led the discussion. He explained at the last Township Committee meeting, members of the Township Committee were all comfortable with the recommendations of the Tree Subcommittee with the exception of the Fischer and Hagerty properties and that recommendations had been made to plant trees at the Petty Road and Plainsboro Road right-of-ways. The Subcommittee responded they had avoided making any recommendations regarding rights-of-way due to utility lines as well as vistas; particularly along Plainsboro Road where the large farm fields are located. Mayor Stout reported he had emailed everyone a matrix of the decisions that had been made by the Township Committee at the last meeting. He mentioned he had listed on Fischer a “community garden” as everyone seemed to agree it would be a good idea to pursue. The subcommittee also commented they agreed with the idea, however, thought it may deserve a separate discussion regarding all possible locations. Mayor Stout explained in reference to having no trees on Fischer, no one was in favor of this option, foresting all 28 acres on Fischer (minus the community garden) was his selection. The rest of the Township Committee had indicated planting some trees (less than 28 acres and less than 5,712 trees) which would be “all”; greater than zero but less than all. On Hagerty there was a recommendation for three (3) different options—a meadow in the middle of the parcel and there were no members in favor of this option, some trees (204 trees which was in the subcommittee’s recommendation and lastly “all” which consists of 20 acres (4,080 trees based on the number of trees per acre that had been sited at the meeting). Mayor Stout reported under the category of “some”, Mr. Cody, Mayor Stout and Mr. Taylor were in favor. Foresting “all” was supported by Mr. Stannard and Mr. Cook. Mayor Stout stated the Township Committee needs to make a decision this evening so a list can be submitted to the Turnpike. Ms. Smeltzer reported she had spoken with AECOM and they indicated should the Township wish to move forward, a grant application will need to be filled out. Mayor Stout stated it is his understanding the Township will need to send a letter first to indicate how many trees it wishes to have and then apply for the grant. Mr. Cook asked Ms. Waterbury, Township Attorney, if she had an answer concerning the Fischer parcel being allowed to be farmed. Ms. Waterbury reported the parcel is designated as Open Space and not farmland. It was purchased using funding from the Green Acres Program as well as the County

TOWNSHIP COMMITTEE MEETING  
February 8, 2010

Work Session

b). Discussion of Township Committee's Decision on Tree Placements for the Turnpike Widening Project (cont'd).

Improvement Program and was acquired specifically for open space, recreation and conservation purposes. She stated there are three fields on the parcel that historically have been farmed and since the Township purchased the property, it has continued to have the fields farmed during the first few years pursuant to a service agreement. The last two (2) or three (3) years the lease has been publicly bid. The lease itself is limited to the farm fields and the farmer has no ability to expand the fields. Ms. Waterbury reported this use is compatible with Green Acres regulations and agriculture is one of the types of leases the Township can enter into without diverting the property from one of its functions. She added there is no fixed date on when the farming activities must cease; it is strictly up to the Township. Ms. Waterbury stated under Green Acres regulations the property must be made accessible to the public. Mr. Cook raised his concerns that the esthetic value of the Fischer parcel will be jeopardized as well as a lot of the integrity of the open space if the entire parcel is forested out. Mr. Cook expressed the Hagerty parcel however has not been maintained and seems more of a candidate to be fully planted out. Mr. Cook recommended to leave the Fischer parcel as is and hybrid it; foresting some of it and allow for a community garden to be placed on a portion of the parcel. This will allow the parcel to be retained as it is today and retain the value of Fischer and in addition will make Hagerty a much more beautiful area to view. In addition, the public will be able to walk Fischer and have a community garden. Mayor Stout reported a drainage easement exists on the Hagerty parcel which will not allow the full 20 acres to be forested. Mayor Stout stated he is in favor of the subcommittee's recommendation to forest the Fischer parcel. Mr. Cody suggested having the community garden at the very northern portion adjacent to Pin Oaks. Mr. Taylor stated he agrees with both Mr. Cody and Mayor Stout; the Township needs to decide what is the most appropriate location for the community garden and raised his concern with the Township being put in a position of stating how many trees it wishes to have before finding out the cost to the Township (having the trees purchased and planted by a nursery). He recommended trying to be flexible should the need arise to reduce the number of trees. Mayor Stout stated he agreed with Mr. Taylor's concern, however, he reminded everyone that the Township has approximately a three (3)-year window. Mr. Cook expressed he is in favor of retaining some of the open space on Fischer and having the community garden. Mr. Wahlers, Chairperson of the subcommittee reported the northern portion of Fischer is approximately four (4) acres. Mr. Stannard expressed he is in favor of foresting the entire Hagerty parcel and a portion of Fischer. Mr. Cody stated he is in favor of partially foresting the Hagerty parcel. Mayor Stout summarized; on Fischer there is some portion that will be used as a community garden or something else. On Hagerty there will be more than 204 but less than 4,080 trees and try to capture the subcommittee's recommendation to have a meadow on the Hagerty parcel. Mr. Stannard reported many years ago former Township Committeeman Wayne Wittman had walked him with him on the Fischer property pointing out where he thought the remains of a colonial Baptist Church (one of the oldest black churches in the Country) was located. He reported it was located on the Hagerty side adjacent to Old Cranbury Road and is partially hidden by trees. Mr. Stannard recommended not foresting that section of the parcel. Mr. Cook reported the church is shown on an 1875 map of Cranbury he has. Mayor agreed the historical portion needs to be protected as well as having a community garden at the northern end of the property. The Township Committee members made a decision to use more than 204 trees on the Hagerty parcel, still have the "meadow" and forest the trees closest to the Millstone River; less than 10 acres of trees on Hagerty. On the Updike parcel the decision at the last meeting was to determine if the Township needs to build a "buffer" or "berm" should the



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Work Session

b). Discussion of Township Committee's Decision on Tree Placements for the Turnpike Widening Project (cont'd).

Township decide to use the open space area in the future. Mayor Stout reported the Township only needs to provide a buffer not a berm. Mayor Stout asked if the subcommittee needs to meet again to prepare the Township's response to the Turnpike. Mr. Wahlers indicated he will get back to the Township Committee. Mayor Stout thanked the subcommittee for working so diligently on the tree issue and for attending Township Committee meetings.

Mayor's Notes

Mayor Stout appointed Jane Hellstrom as a regular member of the Recreation Board of Commissioners, with a term expiring 12/31/2014 and Edward Sekelsky to 1<sup>st</sup> Alternate with a term expiring 12/31/2013 and announced there will now be a vacancy for the position of 2<sup>nd</sup> Alternate on the Board of Recreation Commissioners. Mayor Stout announced the Clerk had received a form from a volunteer to serve on the Board of Recreation Commissioners and the Clerk indicated it was her understanding that individual would be attending the next Recreation Board meeting as an observer. Mayor Stout also appointed Bonnie Larson to the Shade Tree Commission with a term expiring 12/31/2014.

Mayor Stout conveyed to the Township Committee he is due to be out of town this Saturday, February 13, 2010. He stated if the other members want to still have a budget meeting they should go ahead without him. The Township Committee members decided to hold the budget meeting on Saturday, February 13, 2010 at 9:00 a.m.

Public Comment

The Mayor opened the meeting to public questions and comment. Mr. Dave Mauger, 26 Griggs Road, stated he is excited the Helene Cody 5K Run will take place again this year. Mr. Mauger commended Mr. Berkowsky for a very good presentation and stated is very appreciative of the hard work Cranbury Housing Associates has done in providing a service to the community. Mr. Mauger stated it was the neighbors in Cranbury Estates who pointed out it was important to have open spaces for children to play. He reported this development of affordable homes will be the largest built in Cranbury Township and thus a large number of children. Mr. Mauger requested the Township Committee provide some direction to C.H.A. to permanently preserve the open space, stating there is a lot of benefits to doing so—creating a permanent place for the children to play, would create common ground between the neighborhoods and bring everyone together. Mr. Mauger also stated by preserving the open space it may ensure the road at the end of Ryan Road will not become an "open road" for traffic.

Mr. Dan Mulligan, Old Cranbury Road, thanked the subcommittee and Township Committee for all the hard work on the tree issue and Mr. Cook for attending a lot of the tree subcommittee meetings. Mr. Mulligan requested if trees are going to be planted on the Fischer parcel, please consider an equal line right across the map on the Hagerty property coming out from the Millstone which will create a continuous line of trees directly across from South Main over to Shadow Oaks with the road in between and leave the northern fields and the end portion of Hagerty open which will take care of the easement for the drainage as well. Mr. Mulligan asked if the Township is able to utilize its RCAs, will that satisfy the Township's number of affordable housing numbers. Mayor Stout responded a municipality is only able to have RCAs for up to 50% of its requirements. Mr. Cook added the Township would still need to build units at the Route 130-D site. Mayor Cook reported the RCAs will be allowed, if Senator Lesniak's bill is adopted, the RCAs for municipalities will be grandfathered through 2011.

Mr. Josh Kohut, 19 Ryan Road, thanked Public Works for a great job on the recent snow storm. Mr. Kohut asked if notification will be given to residents prior to the "COAH" meeting on February 22, 2010 and the items which will be discussed. Mr. Kohut asked if there is an opportunity for

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Public Comment (Continued)

those residents traveling to comment before the meeting. Mayor Stout responded residents can certainly send in an email or a letter. Mr. Cody responded the Township Committee will be discussing and making a decision on how many units will be located at the Route 130-D site. Mr. Cook added the Route 130-D issue has to be decided by March. Mayor Stout reported one of the components of Senator Lesniak's bill is the Township will be protected once it is compliant. There being no further comments, the Mayor closed the public part of the meeting.

Resolution

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

Ayes: (Cody	Abstain: (None
(Cook	Absent: (None
(Stannard	
(Taylor	
(Stout	

Nays: (None

Cranbury Township Resolution # R 02-10-035

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:

- N.J.S.A. 10:4-12b (7) – ("Pending or anticipated litigation"): Discussion with Tax Assessor regarding defense of certain anticipated 2010 tax appeals;
- N.J.S.A. 10:4-12b (7) – ("Contract negotiations and matters falling within the attorney-client privilege"): Status of potential resolution of a contract dispute in connection with the Babe Ruth Baseball field construction; discussion of advice and opinion of Township Attorney regarding that matter;
- N.J.S.A. 10:4-12b (5) (Land Acquisition): Discussion of possible land acquisition.

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: February 8, 2010

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

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Ayes: (Cody  
(Cook  
(Stannard  
(Taylor  
(Stout

Abstain: (None  
Absent: (None

Nays: (None

On motion by Mr. Stannard, seconded by Mr. Taylor and unanimously carried, the meeting adjourned at 10:19 p.m.

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Kathleen R. Cunningham, Clerk