

TOWNSHIP COMMITTEE MEETING  
May 11, 2009

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 F. Panconi, Jr.; Richard Stannard, David J. Stout and Mayor Pari Stave. Mr. Cody was absent. Also present were: Trishka Waterbury, Esquire, Attorney; Cathleen Marcelli, Engineer; Christine Smeltzer, Administrator and Kathleen R. Cunningham, Clerk. Mayor Stave 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 1, 2008 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 1, 2008.
- (3) Was filed on December 1, 2008 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.

Closed Session Minutes of April 13, 2009

***Ms. Cunningham, Clerk, announced the minutes, once adopted, will not be released to the public due to the confidential nature and until such time as the issue is resolved.***

On motion by Mr. Stannard, seconded by Mr. Stout and unanimously carried (with Mr. Cody absent), the Closed Session Minutes of April 13, 2009 were adopted.

#### Reports and Communications

--Mayor

Mayor Stave reported she had met with the Chairperson of the Cranbury Historical Preservation Society, Audrey Smith, along with Bill Bunting, Esquire and Betty Wagner. They had a preliminary discussion about the barn owned by the Township (and currently in storage). She stated the Township Committee will be having a Closed Session discussion this evening about some very positive, forward-moving ideas that came from the discussion and hopefully the Township will be able to get the project underway.

--Members of Committee

Mr. Stout reported the Traffic subcommittee (he and Mr. Cody) had met with Ms. Smeltzer to discuss the change in the law that made some changes in jurisdiction in State and County roads. He stated they plan to have a public session in June if possible to exchange ideas with the public and to improve safety. Mr. Stout reported the Township's Traffic Consultant, Mr. Andrew Feranda, will also attend the meeting.

Mr. Stout also reported the Traffic subcommittee had met with representatives of the New Jersey Turnpike Authority. At the suggestion of the Township's Environmental Commission, a letter was sent to the Turnpike Authority in reference to the Turnpike's Widening Project. Items discussed during the meeting were: the potential opportunities on Township-owned lands; in particular, land behind the Barclay farm, as well as a portion of the Fischer and Hagerty tracts that are closest to the Millstone River. He reported this will allow the Township the opportunity to plant trees at no expense to the Township.

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--Members of Committee (Continued)

Mr. Stout (cont'd)

Mr. Stout reported a letter, which had been sent to the Township by Mr. and Mrs. Glenn Johnson requesting a review of their zoning (which is presently zoned Village-Hamlet Residential and requesting it be changed to village commercial), had been referred to the Township's Planning Board for its review and recommendations. Mr. Stout stated the Planning Board in its discussion made reference about a year ago when discussions were taking place concerning the PNC bank building that Mr. Preiss, Township Planner, had been asked to also look at potential additional uses in the Village Commercial area. The Planning Board would like to consider both of these items together to try to reduce the costs of noticing. Mr. Stout recommended reaching out to the Planning Board Attorney to see if a re-evaluation of the Township's Master Plan could be done. If it can, there would not need to be any noticing as the re-zoning would be part of the Plan.

Mr. Stannard reported he had contacted the Business and Professional Association and a representative from the Association should be attending the next Township Committee meeting to discuss how the Township may be able to lend some help to the business community. Mayor Stave suggested some questions be prepared ahead of time and at the Township Committee meeting have a Question and Answer format.

Mr. Panconi reported he had his April monthly meeting with the Fire Company. The Fire Company responded to 15 calls. Six (6) of the calls were false alarms. Four (4) of the calls were during the day and 11 were during the evening hours. Public Works employees had answered all of the daytime calls.

--Subcommittees

Agenda Additions/Changes

Ms. Cunningham, Clerk, announced under Resolutions, Resolution # 05-09-078 is being added to be considered after the Closed Session. The Township Attorney, Ms. Waterbury, Esquire, stated the resolution is required by COAH appointing a mediation team and authorizing the mediation team to act on behalf of the Township. Ms. Waterbury, Esquire, explained the reason for the resolution is due to an objection being filed to the Township's Third Round Plan which COAH has deemed complete, and the next step is to remediate the objection.

Ordinances

First Reading

Cranbury Township Ordinance 05-09-08

An Ordinance entitled, "Cranbury Township Ordinance 05-09-08, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, INCREASING SEWER USAGE RATES AND CONNECTION FEES", was introduced for first reading. Ms. Marabello, Finance Director, stated she could not speak on the Ordinance now; however, she will be giving a presentation at the Township's next meeting on June 8, 2009 as part of the Public Hearing on the Ordinance. On motion by Mr. Stannard, seconded by Mr. Stout, the Ordinance was passed on first reading by vote:

Ayes:

(Panconi  
(Stannard  
(Stave  
(Stout

Abstain: (None  
Absent: (Cody

Nays: (None

Public Hearing: June 8, 2009

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Cranbury Township Ordinance 05-09-08  
(Continued)

**TOWNSHIP OF CRANBURY**

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

WHEREAS, Chapter 124 of the Code of the Township of Cranbury ("Code") sets forth, inter alia, the usage rates applicable to buildings or facilities connected to the Township's sewerage system, and establishes the connection fees to be charged to the owners of every property making a connection into said sewerage system; and

WHEREAS, N.J.S.A. 40A:26A-11 requires the Township to recalculate its connection fees at the end of each budget year, utilizing the methods set forth in said statute; and

WHEREAS, based on the financial information obtained following the end of the budget year 2008, the Township's Professional Accounting Consultant and Chief Financial Officer have performed the statutorily-required recalculation, and based on said recalculation have recommended that the usage rates and connection fees be increased;

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

1. The recitals contained in the foregoing preamble are incorporated herein as if fully restated.

2. Section 124-32 of the Code of the Township of Cranbury ("Code"), entitled "Rates applicable to buildings or facilities connected to sewerage system," is hereby amended to change the usage rates for buildings or facilities connected to the Township's sewerage system, and shall read as follows (additions are underlined; deletions are in [brackets]):

**§ 124-32. Rates applicable to buildings or facilities connected to sewerage system.**

The following are rates applicable to buildings or facilities connected to the sewerage system:

- A. For residential single-family units and each single-family apartment dwelling in multiple-family structures, the quarterly service charge shall be [\$17] \$56.25, plus [\$2.75] \$6.60 per 1,000 gallons of water consumed.
- B. For lodging accommodations in hotels, motels or rooming houses, not including accessory uses, such as restaurants, etc., the quarterly service charge shall be [\$17] \$56.25 per equivalent domestic consumption unit, as said term is defined in § 124-38 below, plus [\$2.75] \$6.60 per 1,000 gallons of water consumed.
- C. For each commercial, professional, institutional, public or other user not classified in Subsection A or B above, the quarterly service charge shall be [\$17] \$56.25 per equivalent domestic consumption unit, as said term is defined in § 124-38 below, plus [\$2.75] \$6.60 per 1,000 gallons of water consumed.

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Cranbury Township Ordinance 05-09-08  
(Continued)

3. Section 124-38 of the Code, entitled "Connection fees," is hereby amended to change the charge for connecting to the Township's sewerage system, and shall read as follows (additions are underlined; deletions are in [brackets]):

**§ 124-38. Connection fees.**

The owners of every property making connection, either directly or indirectly, to the Cranbury Township sewer system shall pay a connection charge of [\$2,322] \$2,319.00 per dwelling unit at the time of connection. The owners of properties other than residential properties shall pay a connection fee of [\$2,322] \$2,319.00 per equivalent [dwelling] domestic consumption unit. For the purposes of this section, an equivalent domestic consumption unit is any use which has water usage or sewer flows of up to [68,679] 69,386 gallons per year. Any estimate of flows over [68,679] 69,386 gallons per year or multiple thereof shall be billed as one full additional dwelling unit.

4. This Ordinance will take effect upon final adoption and publication, as provided for by law.

Ordinance  
First Reading

Cranbury Township Ordinance 05-09-09

An Ordinance entitled," Cranbury Township Ordinance 05-09-09, An ORDINANCE OF THE TOWNSHIP OF CRANBURY AMENDING "AN ORDINANCE FIXING THE SALARIES, WAGES AND BENEFITS FOR VARIOUS OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF CRANBURY PROVIDING FOR THE MANNER OF PAYMENT THEREOF, AND RATIFYING SALARIES AND PAYMENTS TO EMPLOYEES AND OFFICIALS PREVIOUSLY PAID", was introduced for first reading. Ms. Cunningham, Clerk, stated this Ordinance is being introduced due to Ms. Golisano, Deputy Clerk, recently passing the State Exam for Registrar. Ms. Cunningham added this is a job title change only and no increase in Ms. Golisano's salary. On motion by Mr. Stannard, seconded by Mr. Panconi, the Ordinance was passed on first reading by vote:

Ayes:

(Panconi  
(Stannard  
(Stave  
(Stout

Abstain: (None  
Absent: (Cody

Nays: (None

Public Hearing: June 8, 2009

CRANBURY TOWNSHIP ORDINANCE 05-09-09

SECTION 1. The following salaries, wages and fees shall be paid to the various Township Officials and employees of the Township of Cranbury as hereinafter specified, effective, April 1, 2009 unless otherwise noted:



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Cranbury Township Ordinance 05-09-11  
(Continued)

(Stave  
(Stout

Nays: (None

Public Hearing: June 8, 2009

**TOWNSHIP OF CRANBURY**

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Cranbury, Middlesex County, State of New Jersey, that the "Code of the Township of Cranbury" ("Code") be amended as follows:

1. Section 46-4, under "Registration; cutoff; violations and penalties" of Chapter 46, entitled "Alarms," of the Code of the Township of Cranbury is hereby amended to add a new subsection, 46-4.H, to read as follows:
  - H. Any person, business, firm, company or corporation that causes a false alarm to be transmitted as a result of installing, repairing, testing, tampering with or performing any work to an alarm is subject to a fine of \$250.00 for each transmission of a false alarm.
2. This Ordinance will take effect on the 30<sup>th</sup> day following the date of its adoption.

Resolution

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

Ayes: (Panconi  
(Stannard  
(Stave  
(Stout

Abstain: (None  
Absent: (Cody

Nays: (None

TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 05-09-069

WHEREAS, there exists a desire by the County of Middlesex to implement a project called New Jersey Data Exchange "NJ DEX" which will permit limited information sharing between Cranbury Township's Police Department and other law enforcement agencies throughout the County; and

WHEREAS, it is believed by law enforcement agencies that information sharing is a key in everyone's efforts to combat terrorism, reduce crimes and solve crimes; and

WHEREAS, NJ DEX has already been implemented and is operational in several other counties in the State and has shown to be a very effective tool in many aspects; and

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Cranbury Township Resolution # R 05-09-069  
(Continued)

WHEREAS, the direct costs related to this project are being funded by homeland security funds disseminated by the State Office of Homeland Security and Preparedness, as well as Middlesex County; and

WHEREAS, Cranbury Township believes that shared services such as these offered by NJ DEX, will increase efficiency and lower costs to Cranbury Township taxpayers; and

WHEREAS, Cranbury Township wishes to be a participant in the NJ DEX Program;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the Mayor and Clerk are hereby authorized to execute a Shared Services Agreement with Middlesex County for the NJ DEX Program.

Resolution

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

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

Nays: (None

TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 05-09-070

WHEREAS, Cranbury Township needs to demolish a building which is located on a future affordable housing site, known as Route 130-D; and

WHEREAS, Cranbury Township will be receiving \$8,760 from a Community Development Block Grant-R (CDBG-R) of Stimulus Funds ; and

WHEREAS, the Stimulus CDBG-R Grant should be used for projects that are ready to be undertaken; and

WHEREAS, the CDBG-R Grant Funds can be used for the Route 130-D building demolition project for the 3<sup>rd</sup> Round Affordable Housing Program;

NOW, THEREFORE, BE IT RESOLVED, that Cranbury Township will be using the \$8,760 in Stimulus Funds for the above mentioned demolition project, to prepare the Route 130-D site for affordable housing;

BE IT FURTHER RESOLVED, a duly authenticated copy of this Resolution be sent to the Middlesex County Public Housing Agency, Housing and Community Development Office.

Resolution

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

TOWNSHIP COMMITTEE MEETING  
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Ayes: (Panconi  
(Stannard  
(Stave  
(Stout

Abstain: (None  
Absent: (Cody

Nays: (None

CRANBURY TOWNSHIP RESOLUTION # R 05-09-071

A RESOLUTION OF THE TOWNSHIP OF CRANBURY  
IN MIDDLESEX COUNTY, NEW JERSEY

**RESOLUTION ADOPTING AN IDENTITY THEFT POLICY**

WHEREAS, the Fair and Accurate Credit Transactions Act of 2003, an amendment to the Fair Credit Reporting Act, required federal rules regarding identity theft protection to be promulgated; and

WHEREAS, those rules became effective May 1, 2009, and require municipal utilities to implement an identity theft program and policy; and

WHEREAS, the Township Committee of the Township of Cranbury has determined that the adoption of an identity theft policy for the operation of its sewer service is in the best interest of the Township and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury in the County of Middlesex, State of New Jersey, that the Identity Theft Policy annexed hereto is hereby approved and adopted.

Resolutions  
Consent Agenda

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

Ayes: (Panconi  
(Stannard  
(Stave  
(Stout

Abstain: (None  
Absent: (Cody

Nays: (None

Cranbury Township Resolution # R 05-09-072

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 05-09-073

TOWNSHIP OF CRANBURY  
MIDDLESEX COUNTY, NEW JERSEY

A RESOLUTION AWARDING PROFESSIONAL SERVICES AGREEMENTS

TOWNSHIP COMMITTEE MEETING  
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Cranbury Township Resolution # R 05-09-073  
(Continued)

WHEREAS, the Township wishes to hire the following firm to provide professional services to the Township during the calendar year 2009 as follows:

- a). Hoagland, Longo, Moran, Dunst & Doukas, LLP - For Tax Appeal Legal Services (warehouses)

WHEREAS, the costs for the services to be provided by the Professional are set forth in their respective proposals submitted to the Township, which are incorporated herein as if fully restated; and

WHEREAS, the Township has a need to acquire the foregoing services without a "Fair and Open Process" as defined by P.L. 2004, c. 19, the "Local Unit Pay-to-Play Law"; and

WHEREAS, the Professionals have completed and filed with the Township Campaign Contributions Affidavits as required by N.J.S.A. 19:44A-20.2 *et seq.* certifying that they have not made any prohibited contributions to a candidate's committee or municipal committee representing the elected officials of the Township of Cranbury, along with Certifications Regarding Political Contributions as required by N.J.S.A. 19:44A-20.26; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et. seq.* authorizes the award of these contracts without public bidding on the basis that they are professional services agreements; and

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for these purposes and that the value of each Agreement will exceed \$17,500.00;

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 approves the following firms to provide professional services to the Township during the calendar year 2009:
  - a). Hoagland, Longo, Moran, Dunst & Doukas, LLP – For Tax Appeal Legal Services (warehouses)
2. The Mayor and Clerk are hereby authorized and directed to enter into Professional Services Agreements with the aforementioned professionals pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.* These contracts are being awarded without competitive bidding as Professional Services Agreements under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons by law to practice recognized professions and whose practice is regulated by law.
3. A copy of this Resolution, the pay-to-play forms, and the executed Agreement and insurance certificate 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.

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Cranbury Township Resolution # R 05-09-074

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 2009 in the sum of \$1,742.69 which item is now available as a revenue from State of New Jersey pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$1,742.69 is hereby appropriated under the caption Clean Communities.

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) Director of Finance

Cranbury Township Resolution # R 05-09-075

TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX

**Whereas**, there were 716 motor vehicle fatalities in New Jersey in 2008; and

**Whereas**, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

**Whereas**, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

**Whereas**, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

**Whereas**, the State of New Jersey will participate in the nationwide "Click It or Ticket" seat belt mobilization from May 18– May 31, 2009 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

TOWNSHIP COMMITTEE MEETING  
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Cranbury Township Resolution # R 05-09-075  
(Continued)

**Whereas**, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the State from the current level of 91.75 % to 100%; and

**Whereas**, a further increase in seat belt usage in New Jersey will save lives on our roadways;

**Now, Therefore, Be It Resolved** that the Township Committee of the Township of Cranbury declares its support for the "Click It or Ticket" seat belt mobilization both locally and nationally from May 18 – May 31, 2009 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

Township of Cranbury  
County of Middlesex

Cranbury Township Resolution # R 05-09-076

**RESOLUTION AWARDING MASTER CONTRACT FOR  
OFFICE SUPPLIES**

**WHEREAS**, the Township of Plainsboro as lead agency for the Cooperative Pricing System of Mercer/Middlesex County #61 has advertised for bids for Office Supplies in two areas newspapers;

Princeton Packet      2/17/09  
Trenton Times          2/17/09

and

**WHEREAS**, four packets of specifications were distributed upon request; and

**WHEREAS**, four bids were received at the bid opening held on Thursday, March 5, 2009, at 11:00 A.M., Conference Room F, Municipal Center, 641 Plainsboro Road, Plainsboro, New Jersey; and

**WHEREAS**, the lowest responsible bidder for the three categories bid upon was W.B. Mason Company, Inc., 21 Commerce Drive, Cranbury, New Jersey 08512; and

**WHEREAS**, W.B Mason Company, Inc. has agreed to extend its prices to other members of the Cooperative Pricing System of Mercer/Middlesex County #61; and

**WHEREAS**, the Plainsboro Purchasing Officer has awarded a Master Contract to W.B. Mason Company, Inc. based on the discounts listed below on behalf of 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

<u>Furniture &amp; Accessories</u>	<u>54.2% - Factory Direct 25-30 days delivery</u> 37.1% - Quick Ship 1-5 day's delivery
Electronics & Computer Supplies	37.6%
General Supplies	62.3%

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Cranbury Township Resolution # R 05-09-076  
(Continued)

**WHEREAS**, the Cranbury Township Chief Financial Officer has certified that funds are available in the 2009 Municipal Budget under A&E 9-01-20-100-025 and other various Departments which have a supply budget;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Cranbury that Cranbury Township staff is hereby authorized to participate in the Master Contract for the items above supplied by W.B. Mason Company at the discounts listed off the catalog prices.

Reports from Township Staff and Professionals

Police Chief Edward Kahler gave his April monthly report. Chief Kahler reported there were 105 summonses issued during the month, 17-speeding and three (3)-cell phone violations. Expenses, highest to lowest---shift coverage, Department meetings/training and frequent prisoner transports. The Traffic Bureau reported 28 accidents in April and the "Click It or Ticket" campaign will be running from May 18-31<sup>st</sup>. The Detective Bureau reported they had five (5) new investigations and of the five (5), two (2) were closed. There had been one (1) attempted burglary and one (1) residential burglary reported. Chief Kahler also reported he had met with Ptl. Lindenfeld and Ptl. Dworzanski regarding upcoming CERT meetings and events. The Police Department will be requesting CERT volunteers to participate in the Memorial Day Parade. Ptl. Dworzanski will schedule a meeting with the CERT volunteers this month. Bicycle Patrols: there was one (1) patrol in April; however, Chief Kahler indicated there should be more during the month of May. He reported there were nine (9) arrests during the month--possession of Controlled Dangerous Drugs: one (1), Driving While Intoxicated: two (2), Active warrants: five (5) and Theft: one (1). Two residents contacted Chief Kahler to commend the actions of two (2) officers--the first case involved a personal family matter in which Ptl. Pfremmer went above and beyond the call of duty to assist the victim and the family and the second case involved a residential lock out. Ptl. Schneider and Ptl. Walling assisted a resident enter a locked home.

Reports from Township Boards and Commissions

Dr. Daniel Notterman, Chairman of the Board of Health, reported the Board had met earlier in the evening. He reported the Township has received an AED (Automatic Electronic Defibrillator) for Town Hall, and he contacted Administration to have employees who work in Town Hall trained in the use of the equipment. He also reported the Board of Health had introduced on First Reading an ordinance modifying the existing animal control ordinance to bring it into compliance with existing laws concerning licensing of dogs and also to add a section licensing cats.

Updates on Township Projects

Ms. Smeltzer reported she had worked on the Community Development Block Grant project, which will allow the Township to receive additional funds under the Stimulus package towards its affordable housing.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Mr. Dietrich Wahlers, 33 Hagerty Lane, addressed the Township concerning the earlier discussion about changing the zoning from residential to commercial in the Village area. Mr. Wahlers stated if the Township is not going to do so in its Re-evaluation of the Master Plan, notification would have to go out to the residents in the Village "Residential Zone (A-1 Zone) and stressed it is not a small area. Mr. Stannard responded that one of the reasons the Planning Board had discussed combining Mr. and Mrs. Johnson's request with some of the proposed changes in the Commercial Zone is because it is fairly expensive and would require notifying everyone in both zones. He further explained whenever there is a change to remove something from the Residential Zone and move the boundaries so that it goes into the Commercial Zone, noticing is required to both as it changes both zones. Mr. Wahlers asked if the Township

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Public Comment (Continued)  
Mr. Dietrich Wahlers (cont'd)

only changes the downtown Commercial Zone, would only those in the Village Commercial Zone need to be notified. Ms. Waterbury, Esquire, Township Attorney, also responded—if the Township is only changing a zone classification (amending the use in that particular zone) then the Township would only be required to notify those in that zone. However, if the boundary is being changed, which is what Mr. and Mrs. Johnson are requesting, then everyone in the zone plus everyone within 200 feet of the boundaries has to be noticed. Ms. Cunningham, Clerk, stated by law a Municipal Clerk is required, when noticing, to notice by both registered (\$5.50 per envelope) and regular mail making it very costly to the Township. Mr. Stout reported the Planning Board discussed which process would be the best way to go. He stated as this was not anticipated when the Township's budget was being discussed, those funds were not allocated in the 2009 budget.

Mr. Wahlers also asked if the Ordinance introduced this evening on First Reading would increase the sewer fees by triple. Ms. Marabello, Finance Director, responded it would.

Mr. Mark Berkowsky, representing Cranbury Historical Society, reported the Cranbury Water Tower is going to be taken down by New Jersey American Water Company. Mr. Berkowsky explained The Society has been negotiating with the Water Company for more than five (5) years, and was recently notified they are going ahead with their plans to take the water tower down and sell the property. Mr. Berkowsky reported based upon the estimates the Society were given, the costs would be in excess of \$300,000 to paint, restore the tower and make it structurally sound. He stated it is out of the Society's realm to do so knowing that they are dealing with the barn issue as well. Mr. Berkowsky mentioned The Cranbury Press ran an article asking that if residents were interested in saving the tower, donations were being accepted. Mr. Berkowsky stated, "unless something strange happens, Cranbury will be losing one of its landmarks". Mr. Stannard questioned if before the tower is taken down does anyone need to get approval from the State Historic Preservation Office (SHPO). Ms. Waterbury, Esquire, Township Attorney, responded she will check with SHPO. Mr. Berkowsky indicated the Society did inform the Water Company that they do need to check with SHPO, and it is his understanding it will be a six (6) to 12 month process.

There being no further comments, the Mayor closed the public part of the meeting.

#### Mayor's Notes

Mayor Stave asked Ms. Smeltzer, Township Administrator, to remind the Engineer and Planner that they need to revise the Wright South plans to include the designated slot for a future sight of the Library.

She also reported there seems to be an impasse between the Board of Ed and the Library concerning the proposed lease and asked Mr. Stannard to take a look at the draft.

Mayor Stave asked Ms. Waterbury, Esquire, Township Attorney, the status of the Deed of Dedication for Cranbury Housing Associates. Ms. Waterbury reported her office is working on it and has been waiting for some paperwork.

Mayor Stave asked Ms. Waterbury, Esquire, Township Attorney, the status of The Holland House water connection issue. Ms. Waterbury reported Mr. Frank Brennan, Mr. Stasi's Attorney, sent to her a draft agreement. Her office reviewed it, made several comments and sent it back to Mr. Brennan several weeks ago and have not heard anything back. Mayor Stave asked that the matter be resolved as the Township did consider the matter in an emergent manner and the Township would like some closure.

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Mayor Stave reported for quite some time the Township has wanted to put together a narrative on the baseball field and requested that she and Ms. Smeltzer, Township Administrator, meet within the next two (2) weeks to work on it.

Mr. Stout asked if all of the Deeds have been finalized for the expansion of The Cranbury Brook Preserve. Ms. Waterbury, Esquire, Township Attorney, responded her office is working on that as well and preparing the sub-division for the piece that is being conveyed to the School Board. Mr. Stout requested this matter be resolved quickly.

Ms. Cunningham, Clerk, reported the Township Committee in 2008 had adopted an ordinance making the Police Chief the Head of the Office of Emergency Management. The Township has since heard back from the County, and they would like the appointment to be made for a three-year term retroactive to June 1, 2008 through December 31, 2010. She added she drafted a letter for the Mayor's signature, and the County already approved the letter for appointment. Mayor Stave then appointed Police Chief Kahler for the term specified.

Resolution

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

Ayes: (Panconi  
(Stannard  
(Stave  
(Stout

Abstain: (None  
Absent: (Cody

Nays: (None

Cranbury Township Resolution # R 05-09-077

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 (5) (Land Acquisition): Discussion of possible land acquisition for affordable housing and other purposes;
- N.J.S.A.10:4-12b (7) (Contract Negotiations & Matters Regarding Confidential Advice of Counsel): Discussion of terms and conditions of potential lease and/or sublet of Township-owned property to the Cranbury Historical and Preservation Society.
- N.J.S.A. 10:4-12.b (7) (Pending or anticipated litigation/matters requiring confidential advice of counsel): Discussion and analysis of objection to draft third round affordable housing plan filed by Fair Share Housing Center.

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

TOWNSHIP COMMITTEE MEETING  
May 11, 2009

Cranbury Township Resolution # R 05-09-077  
(Continued)

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: May 11, 2009

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

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

Nays: (None

Resolution

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

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

Nays: (None

Cranbury Township Resolution # R 05-09-078

A RESOLUTION OF THE TOWNSHIP OF CRANBURY  
IN MIDDLESEX COUNTY, NEW JERSEY

A RESOLUTION REGARDING FAIR SHARE HOUSING CENTER'S OBJECTION TO CRANBURY TOWNSHIP'S PETITION FOR THIRD ROUND SUBSTANTIVE CERTIFICATION, AND (1) APPOINTING A MEDIATION TEAM IN CONNECTION THEREWITH, AND (2) AUTHORIZING THE MEDIATION TEAM TO NEGOTIATE ON BEHALF OF THE TOWNSHIP AND EXECUTE ANY AGREEMENT REACHED DURING MEDIATION

WHEREAS, the Township of Cranbury has petitioned the Council on Affordable Housing ("COAH") for substantive certification of its adopted Housing Element and Fair Share Plan pursuant to COAH's regulations set forth at N.J.A.C. 5:96-1.1 *et seq.* and 5:97-1.1 *et seq.*; and

WHEREAS, N.J.A.C. 5:96-4.1 allows any person to file objections to a municipality's Housing Element and Fair Share Plan within 45 days of publication of the notice of the municipality's petition; and

WHEREAS, Fair Share Housing Center, Inc. ("FSHC") filed an objection to the Township's plan within said 45-day period; and

WHEREAS, on May 7, 2009, COAH deemed the objection to be compliant with the requirements set forth at N.J.A.C. 5:96-4.1; and

TOWNSHIP COMMITTEE MEETING  
May 11, 2009

Cranbury Township Resolution # R 05-09-078  
(Continued)

WHEREAS, N.J.A.C. 5:96-7.2 require COAH to meet with representatives of the Township and FSHC to attempt to mediate a resolution of the objections raised by FSHC; and

WHEREAS, N.J.A.C. 5:96-8.1 requires the Township to adopt a resolution designating representatives to act on its behalf during said mediation and authorizing one or more of these representatives to execute any agreement reached during mediation; and

WHEREAS, pursuant to N.J.A.C. 5:96-8.1 the Township's mediation team must consist of, and is limited to, the following four representatives: one member of the Township Planning Board; one member of the Township Committee (who cannot be the same individual as the Planning Board member); and two additional representatives; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury in the County of Middlesex, State of New Jersey, that the following individuals are hereby appointed to serve as the Township's representatives in any mediation sessions scheduled by COAH:

- Planning Board Representative: Richard H. Stannard, Township Committeeman and Class III Planning Board member
- Governing Body Representative: Hon. Pari Stave, Mayor
- Additional Representatives: Trishka Waterbury, Esq., Township Attorney  
Mary Beth Lonergan, PP/AICP, Township  
Affordable Housing Consultant;

and

BE IT FURTHER RESOLVED, that if permitted by COAH's mediator in accordance with N.J.A.C. 5:06-8.2(e), Township Administrator Christine Smeltzer is hereby appointed to serve as an additional member of the Township's mediation team; and

BE IT FURTHER RESOLVED, that the above-designated representatives are authorized to participate in any mediation sessions scheduled by COAH and to negotiate on the Township's behalf; and

BE IT FURTHER RESOLVED, that the above-designated representative of the Township Committee is hereby authorized to execute on the Township's behalf any agreement reached during mediation; and

BE IT FURTHER RESOLVED that the Township Clerk or her designee shall cause a certified copy of this Resolution to be submitted promptly to the Council on Affordable Housing.

On motion by Mr. Stannard, seconded by Mr. Stout and unanimously carried, the meeting adjourned at 9:10 p.m.

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Kathleen R. Cunningham, Clerk