

TOWNSHIP COMMITTEE MEETING
December 7, 2009

The regular meeting of the Township Committee of the Township of Cranbury was held at 6:30 p.m. in the Town Hall Meeting Room for the purpose of going into Closed Session. The regular portion of the meeting started at 7:53 p.m. Answering present to the roll call were: Township Committee members: Winthrop Cody, Thomas F. Panconi, Jr., Richard Stannard, David J. Stout and Mayor Pari Stave. 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:

Ms. Cunningham, Clerk, stated that notice of the meeting time change was sent to the newspapers on November 30, 2009 and posted on the Township's web site:

- (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.

Resolution

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

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

Nays: (None

Cranbury Township Resolution # R 11-09-154

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) and (8): Interview of candidates for Township Engineer position;

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(Continued)

--- "N.J.S.A. 10:4-12.b (7) (Pending or anticipated litigation/matters requiring confidential advice of counsel).

--- "N.J.S.A.10:4-12b (7) (Contract Negotiations & Matters Regarding Confidential Advice of Counsel): Discussion of terms and conditions of Precise Construction Contract.

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: December 7, 2009

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

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

Nays: (None

Regular Township Committee Minutes of November 9, 2009

On motion by Mr. Panconi, seconded by Mr. Stout and unanimously carried (with Mr. Cody abstaining), the regular Township Committee Minutes were adopted.

Closed Session Committee Minutes of November 9, 2009

On motion by Mr. Stout, seconded by Mr. Panconi and unanimously carried (with Mr. Cody abstaining), the Closed Session Minutes of November 9, 2009 were adopted.

Reports and Communications

--Members of Committee

Mr. Panconi reported he had his monthly meeting with the Fire Company yesterday and he had invited Messrs. Cook and Taylor to join him as Township Committeemen-elect. During the month of November the Fire Company responded to 16 calls; four were during the day and 12 were during the evening and five of the calls were false alarms.

Mr. Stout reported he had spoken with Ms. Marabello and others with the thought the governing body would ask each functional office in Town Hall to produce a monthly action report (one page) to review revenues collected, bills paid and actions taken by the particular office. Mr. Stout named the Finance Department, Assessor's Office, Tax Collector's Office, Zoning, Planning, Parks and Recreation and Public Works Offices. Mr. Stout recommended having Ms. Smeltzer work with the Department Heads of the respective offices to develop the report. The other Township Committee members unanimously agreed.

Mr. Stannard reported he and Mr. Cody have formed a subcommittee to make the application process easier for small businesses and as a result, he had attended the

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Reports and Communications (Continued)

--Members of Committee

Messrs. Cody and Stannard – Small Business Subcommittee Report (cont'd)

Planning Board meeting and the recommendations they had made were discussed. The Planning Board will be sending responses to the recommendations. Mr. Stannard reported some of the responses were positive and some less than positive. He stated he and Mr. Cody have determined instead of an entire system of changes the changes be instituted on an "as needed basis". Mr. Stannard also reported one of the items both he and Mr. Cody agree on, "with all due haste" is that the Township consider or perhaps adopt a resolution to have the Master Plan placed on the Township's web site and there is no reason not to have it on line. Mr. Cody stated he was not at the most recent Zoning Board meeting however, he understands the Zoning Board did turn down an application for an office/retail on South River Road as it did not fit with the Township's Master Plan. Mr. Cody recommended reviewing the Master Plan and perhaps looking to update it. Mr. Stout recommended reviewing this issue during the Budget discussions and explained he has asked both the Planning and Zoning Boards give the Township Committee some options to do so next year.

---Township Committeeman-elect Cook

Mr. Cook reported he had attended on Tuesday the COAH court hearings in Trenton. He reported these hearings were on the arguments that had been brought to the Court System based on COAH's Third Round Affordable Housing Plan. Judge Skillman was listening to arguments specifically to remove COAH or restructure its present form. Mr. Cook reported one of the "more comfortable" arguments made by Mr. Kevin Moore, Esquire, representing the National Association of Industrial Properties, was their client base was stating the current COAH Third Round is an impediment to the development and has created an atmosphere in municipalities wanting a "no growth scenario" which will affect developers. The League of Municipalities argued against the square foot ratio as well as the growth component being unjustifiable based on the actual facts when growth components were argued. In that case, the growth share was considered invalid. The argument was also backed up by Stewart Koenig, Esquire, the attorney for the "20 Muni", which is a group of municipalities that are somewhat compliant already. Mr. Cook added, Mr. Koenig was good at bringing up specific facts that COAH essentially had been accused of and in one case was them using data from 2002 which did not consider any of the preserved farmland as properties that would be considered for development for COAH. Mr. Cook reported Fair Share Housing was represented there as well and argued there should not be 115,000 units built in New Jersey; there should be 160,000 units built. Judge Skillman asked how the housing would be paid for and Fair Housing responded the municipalities would pay for it. Mr. Cook reported Ms. Nancy Kaplan, from COAH, was present to address some of the issues and arguments that were made. Judge Skillman asked Ms. Kaplan how COAH is structured and how individuals are brought in as Chairman and how members are appointed. Ms. Kaplan indicated the Governor makes the appointments. He stated a discussion took place as to what would be done if Governor-elect Christie abolishes COAH. Recommendations were made to go back to the original Mt. Laurel II structure and base the housing units on a municipality's actual and not projected growth. Judge Skillman's decision should be made maybe in the next 90 days; probably longer.

Resolution

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

Ayes: (Cody
(Panconi

Abstain: (None

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(Stannard
(Stave
(Stout

Absent: (None

Nays: (None

Cranbury Township Resolution # R 12-09-165

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

**A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH MIDDLESEX
COUNTY FOR COSTS OF IMPROVEMENTS TO THE BRAINERD LAKE BRIDGE AND DAM
SITE; N.J.S.A. 40A:65A-1 ET SEQ.**

WHEREAS, the Brainerd Lake bridge and dam, located at Main Street/Middlesex County Route 614 in the Township of Cranbury, is in need of certain improvements; and

WHEREAS, Middlesex County is responsible for certain improvements to the bridge, the dam and the roadway, and the Township has responsibility for certain improvements to the structure and the surrounding area; and

WHEREAS, N.J.S.A. 40A:65-1 et seq., the Uniform Shared Services and Consolidation Act, encourages public entities to enter into agreements to share expenses so as to reduce property taxes through the reduction of local expenses; and

WHEREAS, the County and the Township have discussed the improvement project, and determined that it would be in the best interests of the taxpayers to enter into such an agreement to share in the costs for the necessary improvements to the bridge, the dam and the surrounding area;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that, subject to the approval of the Township Attorney as to the final form and substance of the agreement, the proper municipal officials be and hereby are authorized to sign and enter into a cost sharing services agreement with the County of Middlesex with regard to the Brainerd Lake bridge and dam improvement project.

Resolution

Consent Resolutions

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

Ayes: (Cody
(Panconi
(Stannard
(Stave
(Stout

Abstain: (None
Absent: (None

Nays: (None

TOWNSHIP COMMITTEE MEETING
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Cranbury Township Resolution # R 12-09-157
(Continued)

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) Mukul Bhatt – Comsleep Properties
- (d) Township Attorney

Cranbury Township Resolution # R 12-09-158

WHEREAS, the applicant has determined they will not be performing the work

WHEREAS, the Construction Official has recommended that the following Permit fees be refunded less a 20% plan review charge:

<u>Name</u>	<u>Permit #</u>	<u>Address</u>	<u>Refund Amount</u>
Comsleep Properties	07-354	Bl 6 Lot 5,6,10	12,076.80

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, that the above permit payments be refunded.

Cranbury Township Resolution # R 12-09-159

WHEREAS, the Tax Assessor has recommended that the following COAH payments be refunded since the project has been put on hold due to the economic situation:

<u>Block</u>	<u>Lot</u>	<u>Assessed to</u>	<u>COAH Amt</u>
6	5, 6, 10	Comsleep Properties	\$61,000.00

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, the above 2007 COAH payment is refunded to Comsleep Properties.

Cranbury Township Resolution # 12-09-160

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR JOE AND DIANE STASI

WHEREAS, by letter dated November 12, 2009 Joe and Diane Stasi has requested the release 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 November 20, 2009 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Cash	\$ 500.00
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NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury as follows:

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Cranbury Township Resolution # 12-09-160
(Continued)

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 release 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. Joe and Diane Stasi
- d. Township Attorney

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 12-09-161

WHEREAS, the Superior Court of New Jersey, in *Grier v. Plumstead Township*, has interpreted the Open Public Records Act to require disclosure of email addresses of citizens who have provided the same to the Township solely for the purpose of receiving a public service "alert"; and

WHEREAS, the Township Committee of the Township of Cranbury find that the use of email to alert the citizens of the Township to emergent conditions is an important public service; and

WHEREAS, the citizens who sign up for the service do so in expectation that the email address provided will not be distributed or used for any other purpose; and

WHEREAS, the release of these addresses would have a chilling effect on public participation in the program;

NOW, THEREFORE BE IT RESOLVED, the Township Committee of the Township of Cranbury urges and encourages the Legislature to immediately adopt remedial legislation amending the Open Public Records Act to include email addresses of individuals provided to the governmental entity for the purpose of receiving emergency notifications among the list of items **excluded** from public records subject to disclosure; and

BE IT FURTHER RESOLVED that a copy of this resolution be provided to the New Jersey General Assembly Speaker, Senate President, New Jersey Government Records Council and the legislators representing the Township of Cranbury.

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TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 12-09-162

RESOLUTION SUPPORTING THE "OVER THE LIMIT UNDER ARREST 2009 YEAR END
STATEWIDE CRACKDOWN"

WHEREAS, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 26% of motor vehicle fatalities in New Jersey are alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the "Over the Limit Under Arrest 2009 Year End Statewide Crackdown"; and

WHEREAS, the project will involve increased impaired driving enforcement from December 7, 2009 through January 3, 2010; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

THEREFORE, BE IT RESOLVED that the Township of Cranbury declares its support for the "Over the Limit Under Arrest 2009 Year End Statewide Crackdown" from December 7, 2009 through January 3, 2010 and pledges to increase awareness of the dangers of drinking and driving.

Cranbury Township Resolution # R 12-09-163

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING YEAR 2009 BUDGET TRANSFERS.

WHEREAS, there are 2009 Budget Accounts which require more funding due to circumstances not known at the beginning of the year; and

WHEREAS, there will be excess balances in budget accounts in which the expenditures will be less than projected at the beginning of the year; and

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury, that the following year 2009 Budget Transfers be authorized and made on the records and accounts of the Township:

	<u>Budget Account</u>	<u>From</u>	<u>To</u>
9-01-23-220-655	Group Insurance - Health	\$18,000.00	
9-01-20-155-025	Legal - Misc		\$18,000.00

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Cranbury Township Resolution # R 12-09-163
(Continued)

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

- (a) Township Auditor
- (b) Township Director of Finance
- (c) Township Administrator

Cranbury Township Resolution # R 12-09-164

WHEREAS, the owner of record for Block 25 Lot 88.01 was charged an end of year penalty for 2008 pursuant to statute when possibly it could have been avoided and,

WHEREAS, the Township Committee wishes to resolve this by canceling taxes for a dollar amount up to the amount of the penalty which is \$856.18,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that a dollar amount determined by the Committee shall be canceled on the above mentioned parcel which will be credited to the 3rd Quarter 2009 taxes.

Reports from Township Staff and Professionals

Police Chief Edward Kahler gave his Department's monthly report for November. Chief Kahler reported a total of 149 summonses were issued. Cell phone violations –four (4) and 22 for speeding. He reported the expenditures, highest to lowest were: shift coverage, investigations and special details. Chief Kahler stated there had been a sudden jump in flu-like illnesses within the Department which accounted for a large portion of the overtime expenditures again in November. He reported the Traffic Bureau had 28 crashes and one man died in a four-vehicle crash on Route 130. The crash is still under investigation by the Traffic Bureau. The Detective Bureau had 21 new investigations and closed nine (9). The CERT team assisted with the H1N1 vaccination clinic held at the Cranbury School. The CERT members generated inoculation records, assisted with crowd control and helped distribute literature. The bicycle patrols were not out at all during the month. Vehicle Mileage for the month was 11,534. There were a total of 22 arrests; DWI-eight (8), Burglary-0, Theft-one (1), Warrants-six (6), Controlled Dangerous Substances-four (4), Fugitive-one(1), False Identification-two(2) and Miscellaneous-0. Chief Kahler reported over 320 children received the H1N1 vaccine. Mr. John Haney, the Cranbury School's Chief School Administrator and his staff along with the CERT team, the Middlesex County Board of Health, the Cranbury First Aid Squad, the Cranbury Fire Department and his officers did an excellent job. Chief Kahler noted that resident and Cranbury School Counselor, Joann Charwin, volunteered her time as a certified critical incident counselor and Cranbury resident and Chairman of the Board of Health, Dr. Daniel Notterman, stopped by to show his support. Chief Kahler also reported "Operation Medicine Cabinet" had been a success. At least a dozen residents turned in approximately ten (10) pounds of unused medications. Chief Kahler explained "Operation Medicine Cabinet" is in response to the growing number of teens and young adults rummaging through medicine cabinets for unused medications. He stated "The Over the Limit-Under Arrest Program" is under way. The Program, funded by the New Jersey Dept. of Highway Safety, is designed to reduce the number of intoxicated drivers on our roads during the holiday season. Chief Kahler also reported Mr. Katz, a motor vehicle crash victim from Monroe Township, stopped by headquarters to thank Sgt. Frank Dillane and Officer Ray Wetzel for their assistance and Ms. Bernice Siegel from Monroe Township sent a letter thanking Officer Cipriano for his assistance. Ms. Siegel's vehicle became disabled and Officer Cipriano transported her to a nearby garage.

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December 7, 2009

Reports from Township Staff and Professionals (Continued)

Ms. Marcelli, Township Engineer (cont'd)

Ms. Cathleen Marcelli, Township Engineer, gave a report on the FEMA map appeal. Ms. Marcelli reported on the Township's adjustment to the FEMA mapping. Ms. Marcelli explained in the beginning of the year FEMA came out with new maps and municipalities were asked to comment. She stated everything seemed in order when her office reviewed the maps.

However, a local developer had some comments and requested the Township review some of their calculations. The developer paid for the Engineer's time to review all of their calculations, (adjusting the flood insurance lines on the maps). They submitted all of their calculations to her office and posted escrow with the Township. Ms. Marcelli reported her office agreed with the developer's calculations, and it was basically an adjustment to the flood line along the Cedar Brook upstream on South River Road as a result of the improvements over the years that were not reflected on the FEMA maps i.e. covert improvement and the removal of a farm road on the Sudler properties which changed the flood lines. Ms. Marcelli found the developer's calculations were in order and FEMA will also review the line in question.

Administrator's Report

Ms. Smeltzer, Township Administrator, reported the latest news on the regulation ball field is that the Contractor (who the Township has been having difficulty with) is starting to follow through with his obligations and will provide sod for the ball field at no cost. The Township will monitor how the sods grows. She stated the field should be ready to be played on by late April according to the Township's Field Director, Mr. Jeff Graydon. Mr. Graydon will keep the Township up to date. Mr. Cody asked about the Township drilling a well to irrigate the field. Ms. Smeltzer responded that issue has not been addressed yet, and Mr. Stout reminded everyone that the discussion concerning wells was in conjunction with irrigating the soccer fields because the tap would not be large enough to irrigate both. Ms. Smelter indicated she will get back to the Township Committee concerning the possibility of drilling a well.

Ms. Smeltzer also reported the PNC Bank has been sold. The new buyers advised the realtor the time capsule had to be removed. Ms. Smeltzer had the Construction Official and Building Inspector remove the time capsule and it is presently in the Construction Office. It is supposed to be opened at the next Centennial. Ms. Wagner, Township Historian, believes it was placed in the building by the Township. Ms. Smeltzer asked if the capsule should be placed somewhere else. Mr. Taylor indicated he had spoken with Audrey Smith, President of the Historical Society and she intends to bring the discussion up at their meeting next week.

Mayor Stave reported she had spoken with Mr. Graydon and he indicated the fence at the ball field site has now been re-aligned. Ms. Smeltzer reported Mr. Graydon was not pleased with the design of the fence. Mayor Stave stated the Township has a grant application in to the County and have been in touch with them regularly and the Township should be hearing about the grant soon.

Mr. Panconi asked Ms. Smeltzer to send a copy of her letter to the New Jersey Department of Transportation regarding the "hump" on Route 130 to Assemblywoman Linda Greenstein and Assemblyman Wayne DeAngelo as they have offered to speed up the repair. Mr. Stout reported recently he noticed two (2) vehicles had tires blow out due to the hump. Mr. Panconi then asked for an update on the fire house doors. Ms. Smeltzer reported the contract was awarded to Double Tree Structures and they have ordered the doors. They were trying to use an equivalent door which was not acceptable. They are now going to use the required doors. They have placed the order. Ms. Smeltzer mentioned she has conveyed the information to both Mr. Sam DiStasio and Mr. Charles Smith as the firemen

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are going to have to move some of the fire trucks when the doors are installed by the end of the year.

Mr. Cody stated at the past two (2) meetings there had been a request concerning the Township's surplus. Ms. Marabello, Finance Director, indicated she has passed out a spreadsheet and copies are on the chair for the public, and the report shows the Township's surplus for the past ten (10) years. Ms. Marabello reported the chart reflects how much surplus is used each year to fund the budget and how much surplus is added each year (replenished). Ms. Marabello reported the surplus fluctuates each year depending on how much surplus the Township Committee decided to use. This year's surplus is an estimate and are not exact numbers right now. Ms. Marabello reported the exact figures will be given out in February; however, the Township will most likely be replenishing about 76% of the monies used from surplus this year. Mr. Cook asked if the source of the replenishment is a consistent source. Ms. Marabello explained there are some major sources; the biggest one would be added assessments which went down significantly this year and will go down again next year according to the Township's Assessor and further explained that source helped the Township build up its surplus. Also in past years the Township had sale of land which was a good source of revenue.

Work Session

a). Discussion of Recreation Field Fees

Ms. Denise Marabello, Director of Finance, discussed fees with the Township Committee. She reported she and Ms. Smeltzer, Township Administrator have been speaking with the Recreation Department about their field fees. They have a resolution in place presently allowing them to charge organizations fees for the use of the Township's fields. The resolution excludes the Board of Education. In talking with the Recreation Commission, they are considering charging the School field fees as well as for the use of the tennis courts. Ms. Marabello asked the Township Committee if they support the Recreation Commission's recommendation to start charging the School. Mr. Stout inquired if the School has been charging the Recreation Commission for use of its facilities. Ms. Marabello stated they do. Mayor Stave asked the rationale behind charging them (is it because they charge the Recreation Commission). Ms. Beth Veghte, Recreation Commissioner, reported the camp budget that the Township supplements has decreased. The fees for camp have been raised however, the Recreation Commission has not been able to raise them significantly to cover expenses and the School charges \$75.00 per day to use the gym and the hallway (which is the only space they will allow the camp to use). The expenses for taking care of all of the fields and the tennis courts are over \$7,000 per year. She reported Jerry Thorne, Public Works Director, had prepared for her the cost of maintaining the fields. The Recreation Commission needs to make up the cost of maintaining the fields. Ms. Veghte reported the School already has a policy in place stating they will charge the Township \$75.00 per day and in speaking with Ms. Marabello, she did not believe the School would eliminate that policy. This year the Recreation Commission was actually charged for past years' use because they had never charged the Rec. Board. Ms. Veghte stated the School uses the softball field starting in May five (5) days per week. Ms. Marabello reported she has spoken with the School Business Administrator, who indicated the School Board has asked her to look at all revenue and this was one area that the Township has not been paying for and they will be back-billing the Township for use of its facilities. Ms. Veghte also reported if the Rec Program uses the gym on a Saturday, the Township is charged a custodian fee even if another group uses a portion of the gym. Each entity pays a custodian fee (for just one custodian). Ms. Veghte also reported the Rec used to distribute flyers or ask the School to post the events on their "board" and they will no longer allow the programs to be advertised unless it is strictly a "school function. Mr. Cody, Liaison to the School Board stated he will schedule a meeting with the School to work out a mutually agreeable arrangement and will report back to the Township Committee.

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Reports from Township Boards and Commissions

Mr. Dietrich Wahlers, Turnpike Tree Subcommittee Chairman, reported next week will be the final meeting of the subcommittee. The final report will be given to the Township Committee at the Township Committee meeting on December 21, 2009.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Mr. Dave Mauger, 26 Griggs Road, stated he wanted to commend the contractor on the re-curb project in Cranbury Estates. Mr. Mauger stated he believes the project is "going remarkably well" with minimal destruction and thanked the Township Committee for applying for the grant. There being no further comments, the Mayor closed the public part of the meeting.

Ms. Waterbury, Township Attorney, gave an update on the COAH mediation hearings which took place this morning in Trenton. Ms. Waterbury reported the "team" felt the mediation hearing went very well and a lot of positive feedback was received from COAH. COAH commended Cranbury Township on the thoroughness and comprehensiveness on its Third Round Plan. Ms. Waterbury stated she cannot publicly say anything however, COAH will be issuing a "Compliance Report" and it will be on COAH's Agenda either January 6th or January 13th and it is anticipated that the Township's Plan will be approved and the Township will receive its Substantive Certification.

Resolution

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

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

Nays: (None

Cranbury Township Resolution # R 11-09-154

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) and (8): Discussion of selection for Township Attorney.

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: December 7, 2009

TOWNSHIP COMMITTEE MEETING
December 7, 2009

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

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

Nays: (None

Mayor Stave announced there had been no need to go into Closed Session as the items listed in the resolution were discussed in Closed Session at the beginning of the meeting this evening; Ms. Cunningham, Clerk, reported the item to discuss the selection of a Township Attorney had been erroneously left off of the final version of the Agenda and therefore could not be considered for discussion this evening. She reported the item will be on the Closed Session resolution for the next Township Committee meeting to be held on December 21, 2009.

On motion by Mr. Stannard, seconded by Mr. Stout and unanimously carried, the meeting adjourned at 9:15 p.m.

Kathleen R. Cunningham, Clerk