

TOWNSHIP COMMITTEE MEETING  
May 12, 2008

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, Pari Stave, Wayne Wittman and Mayor David J. Stout. Also present was: 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, 2007 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, 2007.
- (3) Was filed on December 3, 2007 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.

Township Committee Minutes of April 28, 2008

On motion by Ms. Stave, seconded by Mr. Panconi and unanimously carried, the Regular Committee Minutes of April 28, 2008 were adopted.

#### Reports and Communications

--Mayor

Mayor Stout reported next Monday evening, May 19, 2008, there will be a Township Committee Meeting and up for discussion will be the possible purchase of the former PNC Bank Building and lot. The meeting will be held in the School Cafeteria, North Main Street at 7:00 p.m.

Mayor Stout reported the amended version of the Third Round COAH Rules had been approved last Tuesday, May 6, 2008 in Trenton at a COAH Meeting which was attended by the Administrator, Christine Smeltzer, as well as several residents: Kelly Lehman, Karen Finigan and David Cook. Mr. Cook and Ms. Finigan and Lehman made comments at the meeting as residents of the Township. Mayor Stout stated that the Township has entered the next phase in the COAH process and will avail the Township of all options to protect the interest of the Community, including all legal means available to the Township including becoming part of a group of municipalities with the New Jersey League of Municipalities to challenge the rules. Mayor Stout added, when he saw the comment and response document that was released by COAH he had a lot of pride in how many of Cranbury's residents had sent in their comments. COAH had received 609 comments from individuals; Cranbury residents' remarks comprised 20% (123) of all the comments submitted. He added, this was an excellent effort by Cranbury's residents and he believed this resulted in COAH making some of the changes to the proposed Rules.

#### Agenda Additions/Changes

Ms. Cunningham, Clerk, stated there would be an addition of Cranbury Township Resolution # R 05-08-093 to the Agenda and the Mayor would be reading the Resolution into the record. Ms. Waterbury, Esquire, Township Attorney, requested the Township Committee meet in Closed Session at the end of the meeting to discuss the adopted Third Round COAH Rules which were recently adopted and some strategic decision making related to same. Ms. Waterbury stated the

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Agenda Additions/Changes (Continued)

Ms. Waterbury, Esquire, Township Attorney (cont'd)

Closed Session Resolution would be under the heading of "Anticipated and Pending Litigation and Matters Requiring Confidential Advice of Counsel".

Resolution

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

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

Nays: (None

Cranbury Township Resolution # R 05-08-093

TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX

WHEREAS, on August 1, 1969 John V. Hansen ("Jay") was hired as a patrolman for the Cranbury Police Department; and

WHEREAS, Jay and his lovely wife, Kay, moved to Cranbury upon his employment with Cranbury Township; and

WHEREAS, shortly after joining the Cranbury Police Department, Jay caught and arrested a murderer on Main Street; and

WHEREAS, it should be duly noted, that Jay has not taken one sick day in his 39 years in the Police Department, even working through an attack of kidney stones!!; and

WHEREAS it should be also duly noted that Jay can be found when off duty, volunteering for many charitable events; and

WHEREAS, Chief Jay Hansen has contributed to the unique status of Cranbury as one of the great American small towns, both through his sensitivity and concern in handling various community issues, and his dedication to the community; and

WHEREAS, the Police Department has benefited from Chief Jay Hansen's leadership, expertise and knowledge; and

WHEREAS, Chief Jay Hansen has decided to retire and enjoy life with his wife Kay and his grandchildren on May 31, 2008;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury, Chief Jay Hansen be given our deepest gratitude for his years of service; and

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Cranbury Township Resolution # R 05-08-093  
(Continued)

BE IT FURTHER RESOLVED, that the Township of Cranbury hereby extends heartfelt wishes to Chief Jay Hansen and his family for good health, happiness and prosperity in the future.

Ordinance  
First Reading

Cranbury Township Ordinance 05-08-12

An Ordinance entitled, "Cranbury Township Ordinance # 05-08-12, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, MIDDLESEX COUNTY, STATE OF NEW JERSEY, TO SET FORTH THE DETERMINATION OF THE GOVERNING BODY CONCERNING ELIGIBILITY FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM (DCRP) PURSUANT TO CHAPTER 92 OF THE LAWS OF 2007," was introduced for first reading. Ms. Smeltzer, Township Administrator, explained the State Pensions had changed the Retirement Program for employees to join. Instead of the traditional Pension Program new employees would now join a Pension System. The calculation was changed and less expensive than the traditional plan which had been in place. The employer and employee would contribute however; the employer would be contributing less than they had in the previous plan. The State is attempting to provide the costs. On motion by Ms. Stave, seconded by Mr. Stannard, the Ordinance was passed on first reading by vote:

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

Nays: (None

Public Hearing: June 9, 2008

TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX

WHEREAS, Chapter 92 of the Laws of 2007 (N.J.S.A. 43:15C-2 *et seq*) requires the governing body to determine by ordinance those positions in the Township that are eligible for enrollment and/or required to enroll in the Defined Contribution Retirement Program (DCRP), rather than the Public Employees' Retirement Program (PERS); and

WHEREAS, the Pension Certifying Officer (the Township Chief Financial Officer), is responsible to ensure that correct information is reported to the Division of Pensions and Benefits through proper enrollment procedures; and

WHEREAS, the Pension Certifying Officer, in consultation with the Township Attorney, has reviewed the requirements for compliance with Chapter 92, and the guidance provided in Local Finance Notice 2008-10, and Fact Sheet #80 promulgated by the Division of Pensions and Benefits; and

WHEREAS, the Pension Certifying Officer has recommended to the governing body a list of positions eligible for mandatory enrollment in the DCRP, subject to whether the employment or elected or appointed position commenced on or after July 1, 2007, and further subject to the

TOWNSHIP COMMITTEE MEETING  
May 12, 2008

Cranbury Township Ordinance 05-08-12  
(Continued)

various exclusions, salary requirements and special circumstances described in Chapter 92 and in LFN 2008-10 and Fact Sheet #80;

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

**Section 1.** The Township Committee hereby accepts the recommendation of the Pension Certifying Officer and determines that the following positions are eligible for enrollment in the DCRP, subject to the various exclusions, salary requirements and special circumstances described in Chapter 92 and in LFN 2008-10 and Fact Sheet #80:

- a. Township Committee Members sworn in on or after July 1, 2007, unless previously enrolled in PERS as an elected official prior to July 1, 2007.
- b. Township Administrator, if appointed or promoted on or after July 1, 2007, unless previously enrolled in PERS prior to July 1, 2007.
- c. Department Heads, if appointed or promoted on or after July 1, 2007, unless previously enrolled in PERS prior to July 1, 2007, subject to the guidelines for exclusions set forth in N.J.S.A. 43:15C-2 *et seq.* and LFN 2008-10.
- d. Municipal Court Judge, Municipal Prosecutor and Municipal Attorney if appointed on or after July 1, 2007, unless previously enrolled in PERS prior to July 1, 2007, subject to the guidelines for exclusions set forth in N.J.S.A. 43:15C-2 *et seq.* and LFN 2008-10, including but not limited to exclusions for individuals appointed through a professional services agreement.

**Section 2.** The Pension Certifying Officer will ensure that the specific individuals in the listed positions who are eligible for DCRP enrollment are duly enrolled, and that any future employee or elected or appointed individual who is deemed eligible, shall be enrolled in the DCRP.

**Section 3.** This ordinance shall be implemented, construed and subject to the aforesaid Chapter 92 of the laws of 2007 as amended from time to time, any Regulations promulgated pursuant to Chapter 92 and any guidance documents from the Local Finance Board and the Division of Pensions and Benefits.

**Section 4.** The Pension Certifying Officer is hereby authorized and directed to make all future determinations concerning retirement plan enrollment, in accordance with the requirements of this ordinance, and subject to review by the Division of Pensions and Benefits.

**Section 5.** The operative provisions of this ordinance shall be included in the Township Personnel Manual, which may be amended from time to time to conform to any amendments to Chapter 92, to any Regulations adopted pursuant to Chapter 92, or any amended guidelines from the Local Finance Board or the Division of Pensions and Benefits.

**Section 6.** This ordinance shall take effect upon its passage and publication as required by law.

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Resolutions  
Consent Agenda

Mayor Stout asked that Cranbury Township Resolution # R 05-08-087 be held as he had driven by the location and noticed the plantings on the berm were not "doing well". Ms. Marcelli, Township Engineer, indicated she would have her staff investigate. The Resolution was removed from the Agenda; to be considered at a later date.

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

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

Nays: (None

Cranbury Township Resolution # R 05-08-085

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 05-08-086

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

A RESOLUTION AUTHORIZING THE REDUCTION OF A PERFORMANCE GUARANTEE FOR  
ROCKEFELLER MIDDLE CAMPUS – Church & Dwight  
(Block 8, Lot 1.02)

PRIVATE IMPROVEMENTS

WHEREAS, by letter dated April 21, 2008, Marsh USA Inc. has requested the reduction of Church & Dwight's performance guarantee previously posted with the Township in accordance with Planning Board approval and

WHEREAS, the Township Engineer has, in a letter dated May 1, 2008 (attached hereto as "Exhibit A") recommended that the performance guarantee be reduced and the amount that shall be **released** is as follows:

Performance Bond	\$ 185,061.99
Cash Deposit	\$ 20,562.45

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

Performance Bond	\$ 79,312.29
Cash Deposit	\$ 8,812.47

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

1. It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".
2. It hereby authorizes the reduction of performance guarantees set forth in the Township Engineer's letter referenced above.

TOWNSHIP COMMITTEE MEETING  
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Cranbury Township Resolution # R 05-08-086  
(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 Chief Financial Officer
- (c) Tim Watts, Rockefeller Group
- (d) Mary Lawrence, Marsh USA, 44 Whippany Rd, Morristown, NJ 07962-1966
- (e) Township Attorney

Cranbury Township Resolution # R 05-08-088

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

A RESOLUTION AUTHORIZING THE RELEASE OF A MAINTENANCE BOND FOR  
PROLOGIS-HOME DEPOT (SANITARY SEWER) Block 7, Lots 13, 17 & 18

WHEREAS, Company has requested the release of their Maintenance Bond previously posted with the Township in accordance with Planning Board approval and

WHEREAS, the Township Engineer has, in a letter dated April 10, 2008 (attached hereto as "Exhibit A") recommended that the remaining \$13,563.24 cash maintenance bond be released:

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

1. It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".
2. It hereby authorizes the 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 Chief Financial Officer
- c. Andrew Kolb, Prologis
- d. Township Attorney

Cranbury Township Resolution # R 05-08-089

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

RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR  
CALIFORNIA CLOSETS (Block 6, Lot 8)

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Cranbury Township Resolution # R 05-08-089  
(Continued)

WHEREAS, by letter dated February 1, 2008, California Closets 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 April 21, 2008 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Performance Bond	\$ 32,439.69
Cash	\$ 3,604.41

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

1. It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".
2. It hereby authorizes the 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 Chief Financial Officer
- c. Dan Nili, California Closets
- d. Township Attorney

Cranbury Township Resolution # R 05-08-090

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

A Resolution awarding a Professional Services Agreement for tax appeal legal services to the law firm of Harry Haushalter, Esquire

WHEREAS, there exists a need for tax appeal legal services for the Township of Cranbury (the "Township") in the County of Middlesex, State of New Jersey; and

WHEREAS, the law firm of Harry Haushalter, Esquire submitted a proposal dated May 5, 2008 to perform those services; and

WHEREAS, the Chief Financial Officer has certified funds are available for said services; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised.

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Cranbury Township Resolution # R 05-08-090  
(Continued)

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

1. Mr. Harry Haushalter, Esquire, is hereby retained to provide tax appeal legal services to the Township for a one-year period, upon execution of said contract.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a Professional Services Agreement with Harry Haushalter, Esquire subject to approval of the Township Committee.
3. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), because it is for services performed by persons authorized by law to practice a recognized profession.
4. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Township.
5. A notice of this action shall be published in the official newspaper as required by law.

Cranbury Township Resolution # R 05-08-091

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

A Resolution awarding a Professional Services Agreement for tax appeal legal services to the law firm of Hoagland, Longo, Moran, Dunst & Doukas, LLP

WHEREAS, there exists a need for tax appeal legal services for warehouses within the Township of Cranbury (the "Township") in the County of Middlesex, State of New Jersey; and

WHEREAS, the Chief Financial Officer has certified funds are available for said services; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised.

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

1. Hoagland, Longo, Moran, Dunst & Doukas, LLP, is hereby retained to provide tax appeal legal services for warehouses within the Township of Cranbury and office buildings within the Township for a one-year period, upon execution of said contract.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a Professional Services Agreement with Hoagland, Longo, Moran, Dunst & Doukas, LLP, Esquire subject to approval of the Township Committee.
3. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), because it

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Cranbury Township Resolution # R 05-08-090  
(Continued)

4. is for services performed by persons authorized by law to practice a recognized profession.
5. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Township.
6. A notice of this action shall be published in the official newspaper as required by law.

Cranbury Township Resolution # R 05-08-092

WHEREAS, a Fire Registration Fee was billed to Stults Realty at 37 North Main Street, Cranbury, New Jersey 08512; and

WHEREAS, the company is no longer in business; and

WHEREAS, a refund for \$45.00 should be issued.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, the above Fire Registration Fee be refunded to Stults Realty.

Reports from Township Staff and Professionals

Ms. Trishka Waterbury, Esquire, Township Attorney, reported on her research concerning the enforcement and regulatory authority of the Parks and Board of Recreation Commissions concerning park usage and recreational fields within the Township. Ms. Waterbury explained the way the Township Code is set up, it has a Parks Commission that purely advisory and also a Recreation Commission. Chapter 32 sets the duties of the Parks Commission and Chapter 36 sets the duties of the Recreation Commission. In addition, the Recreation Commission derives some of its authority from statute because it is created pursuant to statutory authority. The Parks Commission is not a statutory authority. The Parks Commission has jurisdiction over all of the Township's parks and the Recreation Commission has jurisdiction over all of the Township's recreational facilities. There are parks with no recreational facilities and recreational facilities that are not in parks. However, there are certain instances in the Township where there are overlapping scenarios. Ms. Waterbury added the idea in the Township's Code is to get the Recreation and Parks Commissions to try to work cooperatively to the extent that what one does affects the other. Ms. Waterbury, Esquire, prepared and distributed a memo to the Township Committee members outlining all of the authoritative and enforcement powers. She asked that the memo be part of the record (Please see "Addendum A").

Mr. Edward Sekelsky, 42 Evans Drive, asked at what point does the Recreation Commission need to advise the Parks Commission. Mayor Stout stated the main purpose is for both boards to work together and to communicate. Mayor Stout added the current process is all a trial and will be evaluated later with any changes or recommendations.

Mr. Bob O'Meara, Recreation Commission Member, asked if the West Property is considered a parks or recreational facility. Ms. Waterbury responded she was not familiar with the location and therefore could not comment on the question, however, the fields themselves would be under the Parks Commission.

Reports from Township Boards and Commissions

There were no reports.

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Reports from Township Staff and Professionals  
Ms. Marcelli, Township Engineer

Ms. Marcelli, Township Engineer, reported the utility poles had been removed from the site of the Babe Ruth Baseball field about three (3) weeks ago that had been in conflict with the construction activity. The project has been moving along even though activity is not visible. All shop drawings for all of the structures have been submitted and approved and an irrigation plan was prepared by their consultant. Ms. Marcelli added the schedule was to "mobilize" today. The completion date, per the contract is August 17, 2008. Ms. Stave asked for a definition for "shop drawings on structures". Ms. Marcelli responded any valves for the irrigation system, the foul holes, cut sheets for grading and the stake out by Precise Construction's surveyor.

Ms. Marcelli also reported on the Liberty Way Project, South of Half Acre Road and indicated all of the paperwork had been submitted to the D.O.T. to get the remaining monies, in the amount of \$167,309.00 and the Township should be receiving those monies shortly.

Ms. Marcelli also reported on the other half of Liberty Way, North of Half Acre Road and indicated that project had been completed back in March. The final walk through with the D.O.T. inspector had been performed last week. As a result, a couple of punch list items had been brought up and were sent on to the contractor. Before the contractor receives final payment the noted punch list items need to be completed. Once they are completed the Township can then go ahead with the process to ask for the remaining monies.

Ms. Marcelli also reported on the \$180,000 grant from New Jersey D.O.T. for the mill and overlay of Woodview and Wynnewood Drives. She indicated the bids were to be advertised in mid-June, to be awarded in mid-July. Mill and overlay, sidewalk and curb repairs will be done.

Ms. Marcelli reported on The Four Seasons at Cranbury: All but four (4) of the punch list items have been completed by KHov. Those items are: the dead landscaping, picnic benches to be installed and the alleyway drainage which the residents continue to complain about. KHov's sub-contractor has been working on the items and she hopes to do another inspection within the month. In addition, Ms. Marcelli reported, her office has been in constant contact with the liaison to the homeowners association. Ms. Marcelli indicated the drainage area is not being used or mowed and she had conveyed this information to the homeowners association. It is designed to promote natural growth and drainage and the water will not drain off immediately.

Ms. Marcelli reported the County will be soliciting bids on the Old Trenton Road project this summer. The improvements will start at Route 130 and run the entire length of the road within Cranbury Township. It will include drainage improvements and roadway widening. The County has agreed to re-align the driveway to Millstone Park and she had given them copies of the layout to make it consistent with the Washington Drive intersection. The County will only do the work within the public right-of-way and there is an obligation for the Township take the driveway from the public right-of-way and make a connection to the existing parking lot. Ms. Marcelli had met with Ms. Smeltzer, Township Administrator and members of the Recreation Commission to decide how to move forward with that project along with the re-alignment of the baseball field at Millstone Park. Ms. Marcelli indicated it would be her intent to do a surveyed stake out of the baseball field and a stake out of the driveway connection. Mayor Stout asked if turning lanes would also be part of the project and Ms. Marcelli responded they will be as part of the County project. Ms. Stave inquired if parking spaces along Old Trenton Road, adjacent to the park were part of the project. Ms. Marcelli stated she was not aware of any provision being made. Ms. Stave also asked if homeowners on Main Street could join in for having new curbing done at their homes in conjunction with this project. Ms. Marcelli responded it cannot be worked into the contract; the name of the contractor could be made available for the homeowners to contact. Ms. Marcelli added, when the Township instituted the sidewalk project several years ago, a lot of residents were very interested in having their sidewalk repaired, however, at the end of the day

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Reports from Township Staff and Professionals (Continued)  
Ms. Marcelli, Township Engineer (cont'd)

only 1/3 ended up having it done. Mayor Stout asked Ms. Marcelli to give the Township Committee a brief status report on the sidewalk project at the Township Committee meeting on June 9, 2008.

Work Session

a). Report on Police Department by Police Chief Jay Hansen

Police Chief Jay Hansen presented and discussed with the Township Committee the monthly report for April, 2008 for the Police Department. Chief Hansen reported on the following:

The largest expenditure for the month of April had been for shift coverage. This shift coverage was due to the necessity of having to put officers in courses and training. The expenditures, while somewhat high, were still within the yearly budget. Chief Hansen reported there had been 268 summonses issued for the month of April: 60 – Village Area (15 for speeding and 45 for other offenses); 197 – Route 130 (1 for speeding and 196 for other offenses); 11 – East of Route 130 (0 speeding and 11 for other offenses). 35 summonses had been issued for drivers using cell phones, 6 driving on the revoked list, 2 driving while intoxicated, 12 unlicensed drivers and 7 for running a red light. The radar had been deployed on 103 occasions: Cranbury Neck Road -10, Dey Road – 9, Maplewood Avenue – 8, North Main Street – 12, Old Cranbury Road -3, Old Trenton Road – 10, Plainsboro Road -8, Route 130 – 19, South Main Street – 13, South River Road -2 and Station Road -6. The radar (speed --rear-mounted car) had been deployed on 7 occasions: 2 on Maplewood, 2 on Plainsboro and 3 on Station Road. The bike patrol had been out only on one occasion—in the Village area. Chief Hansen stated, with more manpower available and warmer weather he planned on the bike patrol being out more often.

Chief Hansen thanked the Township Committee for its support over the past four (4) years and stated he thoroughly enjoyed his career with the Township for almost four decades. He also thanked the Township Committee for the Resolution which had been presented to him earlier in the meeting. Mr. Wittman thanked Chief Hansen for all he had done for the Township and stated he will be missed.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Mr. Richard Kallan, 10 Wynnewood Drive asked with respect to the Wynnewood/Woodview Drive sidewalk repairs, would the homeowners be told what the project will involve. Ms. Marcelli, Township Engineer, responded, making a recommendation that before the Township go out to bid on the project it have a meeting with the affected residents to inform them about the project. In addition, she offered to give a brief introduction on how the process will work and give a report on the project and to also discuss concerns from the residents. Mayor Stout asked Ms. Marcelli if she should give her presentation at the June 9<sup>th</sup> meeting. Mr. Kallan offered to pass out flyers in the neighborhood. Ms. Smeltzer suggested, and Ms. Marcelli agreed, to have a separate meeting on June 9<sup>th</sup>, prior to the Township Committee meeting. Mr. Kallan asked about a recent newspaper article concerning “capping” the developers contribution to a municipality’s Fair Share Housing. Developer’s are now paying 10% and the legislation, sponsored by Senator Raymond Lesniak, would cap the contribution to 2.5%. Mr. Kallan asked, based upon the new set of COAH Rules had the Township figured out what its cost would be and how many homes it would have to build. Mr. Panconi explained the proposed legislation further and urged Mr. Kallan and other residents to send a letter in opposition to the Township’s representatives; Assemblywoman Greenstein, Senator Bill Baroni and Assemblyman Wayne DeAngelo. Mr. Mark Berkowsky, Cranbury Housing Associates, stated he had heard that Four Seasons had or will be asking for release of its Performance Bond and wanted to remind

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Public Comment (Continued)

everyone that Four Seasons had never "perfected" the easement with Cranbury Housing Associates. Technically, a building permit should never had been issued for the first lot. Mayor Stout thanked Mr. Berkowsky and indicated the Township would have its Attorney investigate.

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

Resolution

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

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

Nays: (None

Cranbury Township Resolution # R 05-08-093

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:

--- Litigation: Anticipated and Pending Litigation and Matters Requiring Confidential Advice of Counsel.

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: May 12, 2008

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

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

Nays: (None

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On motion by Mr. Stannard, seconded by Mr. Wittman and unanimously carried, the meeting adjourned at 8:40 p.m.

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Kathleen R. Cunningham, Clerk