

TOWNSHIP COMMITTEE MEETING
JUNE 9, 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, Cathleen Marcelli, Engineer, 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.

Special Township Committee Meeting Minutes of April 21, 2008

On motion by Ms. Stave, seconded by Mr. Wittman and unanimously carried, the Special Township Committee Minutes of April 21, 2008 were adopted.

Regular Township Committee Meeting Minutes of May 12, 2008

On motion by Ms. Stave, seconded by Mr. Stannard and unanimously carried, the Regular Township Committee Minutes of May 12, 2008 were adopted.

Regular Township Committee Meeting Minutes of May 19, 2008

On motion by Ms. Stave, seconded by Mr. Wittman and unanimously carried, the Regular Township Committee Minutes of May 12, 2008 were adopted.

Closed Session Township Committee Meeting Minutes of May 12, 2008

On motion by Ms. Stave, seconded by Mr. Stannard and unanimously carried, the Closed Session Minutes of May 12, 2008 were adopted.

Reports and Communications

--Mayor

Mayor Stout urged the public to be mindful of their neighbors and children during hot weather and to keep themselves hydrated. Mayor Stout thanked all Cranbury residents who had e-mailed their representatives in Trenton concerning the recent COAH proposed Third Round Rules. Mayor Stout reported he had attended "Volunteer Day" on Saturday, June 7, 2008 and commended the Fire Company, First Aid Squad and Lions Club for putting on a very informative and active event. Mayor Stout reported he would be part of a panel on Tuesday, June 10, 2008 with Lucy Voorhoeve, Executive Director of COAH, at the National Association of Industrial and Office Properties.

--Members of Committee

Mr. Panconi reported he had held his monthly meeting for April and May on Sunday with members of the Fire Company. During the month of April, there had been 23 calls; nine (9) calls

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--Members of Committee (Continued)
Mr. Panconi (cont'd)

from 6:00 a.m. – 6:00 p.m. and 14 calls between 6:00 p.m. and 6:00 a.m. and four (4) between 7:00 a.m. and 3:00 p.m. Of the 23 calls, 15 were false alarms. In May they had responded to seven (7) calls; four (4) calls between 6:00 a.m. – 6:00 p.m. and three (3) calls between 6:00 p.m. and 6:00 a.m. and during the hours of 7:00 a.m. – 3:00 p.m. there had been one (1) call. Of the seven calls (7) four (4) were false alarms.

Ms. Stave reported the Board of Health is considering an ordinance requiring the licensing of cats in the Township due to a concern of cats contracting rabies (the incidence is seven (7) times greater than that of a raccoon). The Board of Health reported they are looking into acquiring a defibrillator for Town Hall.

--Subcommittees

Ms. Smeltzer reported one of the most important items the Township is presently working on in reference to COAH is the jobs generated with the warehouses located throughout the Township. Clarke Caton & Hintz, the Township's COAH Consultants, are presently conducting a survey which should be ready in about four (4) to six (6) weeks. Upon its completion, it will be presented to the Township Committee for approval and then submitted to COAH. COAH will then let the Township know its analysis of the report. Ms. Smeltzer reported her, Ms. Stave and Township residents, John Ritter, Dietrich Wahlers, Karen Finigan and Nicholas Kafasis had attended an Assembly Appropriations Committee to lobby against Assembly Bill 500 by Assembly Speaker Joseph Roberts. Ms. Smeltzer commended the residents on the eloquent remarks made before the Committee and stated Cranbury could be proud. She indicated the Committee was now aware of municipalities such as Cranbury and the impact such legislation would have. Ms. Smeltzer reported eight (8) members of the Assembly Committee had voted to release the Bill with amendments and the full Assembly would most likely be voting on the Bill on June 16th. Ms. Smeltzer added the Township's web site will be updated with new information concerning the most recent COAH news no later than Wednesday.

Agenda Additions/Changes

Ms. Cunningham, Clerk, announced Cranbury Township Resolution # R 06-08-106 was being removed from the Consent Agenda.

Ordinances

First Reading

Cranbury Township Ordinance 06-08-14

An Ordinance entitled, Cranbury Township Ordinance # 06-08-14, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, MIDDLESEX COUNTY, NEW JERSEY, 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. On motion by Ms. Stave, seconded by Mr. Panconi, the Ordinance was passed on first reading by vote:

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

Nays: (None

Public Hearing: June 23, 2008

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Cranbury Township Ordinance 06-08-14
(Continued)

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, January 1, 2008 unless otherwise noted:

TITLE	ANNUAL SALARY RANGE			
	Minimum Salary	Maximum Salary	Minimum Hourly Rate	Maximum Hourly Rate
LOSAP – per Local Finance Notice 2007-27	\$1,441.00	\$1,441.00		

SECTION II.

If any section, paragraph, sentence, clause or phrase in the Ordinance is for any reason held or determined to be unconstitutional or invalid, the same shall not affect the remainder of this Ordinance.

SECTION III.

All ordinances or parts of ordinances, inconsistent herewith are hereby repealed.

SECTION IV.

This ordinance shall take effect upon its passage and publication according to law.

Ordinance
Second Reading

Cranbury Township Ordinance 04-08-09

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance 04-08-09, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, MIDDLESEX COUNTY, NEW JERSEY, AMENDING CHAPTER 150 OF THE CODE OF THE TOWNSHIP OF CRANBURY, ENTITLED "LAND DEVELOPMENT", TO IMPLEMENT LOW IMPACT DEVELOPMENT NONSTRUCTURAL BEST MANAGEMENT PRACTICES FOR STORMWATER RUNOFF", was presented for second reading and final adoption. The Ordinance was published in the Cranbury Press, posted on the Township Bulletin Board and copies were available to the public. Mayor Stout explained the ordinance updates portions of the Township's Land Use Development Code to align the Township's Best Management Practices for development in the Township. Mayor Stout thanked members of the Environmental Commission for their work. Ms. Marcelli indicated Mr. Speers had recommended several changes and the Planning Board would be reviewing the ordinance at its June 19, 2008 meeting. Both Mayor Stout and Ms. Cunningham, Clerk, indicated they had not received any communication from the Planning Board. Mayor Stout announced the ordinance would be carried over until the next Township Committee meeting of June 23, 2008.

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Ordinance
Second Reading

Cranbury Township Ordinance 04-08-11

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance 04-08-11, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, MIDDLESEX COUNTY, NEW JERSEY, AMENDING CHAPTER 150 OF THE CODE OF THE TOWNSHIP OF CRANBURY AND TO ADD A NEW R-ML-III-RESIDENTIAL MT. LAUREL III ZONE", was presented for second reading and final adoption. The Ordinance was published in the Cranbury Press, posted on the Township Bulletin Board and copies were available to the public. Ms. Smeltzer recommended to the Mayor that the ordinance be allowed to die, since Mr. Berkowsky, Cranbury Housing Associates, had indicated the plan has changed for the affordable housing site in question. The Mayor, however, indicated he would allow the public to comment on the ordinance as a large group was present. Following are remarks made by several residents concerning the ordinance:

Dave Mauger, 26 Griggs Road, stated he agreed with the Mayor's recent letter sent to Ms. Lucy Voorhoeve, Executive Director of COAH stating, "Cranbury would be facing a crisis of devastating proportions". Mr. Mauger added "way of life in a small town is too important to lose". Mr. Mauger stated there seemed to be a disparity with the type of affordable housing development that is allowed to be built inside of a development and the type that is allowed to be built outside of a development and a potential weakness in the strategy used in addressing the Township's affordable housing obligations. Mr. Mauger applauded Cranbury Housing Associates for the job they have done thus far with the affordable housing units and urged the Township to continue to have affordable houses that reflect the values of a small town. Mr. Wittman asked Mr. Mauger if Mr. Berkowsky had met with the residents in his neighborhood concerning the proposed Route 130-D site and if he had participated in any of the discussions. Mr. Mauger indicated he had attended the meetings. Mr. Wittman stated the Township has always made an effort to do the best thing and the most tasteful thing in building the affordable housing. Mr. Mauger stated his concern with the affordable housing proposed at the Route 130-D site is that the units would all be rentals and the building would be over 40 feet high. In addition, the concern of the residents in the neighborhood has been the possibility that in the future, Ryan Road would be opened up to traffic off of Route 130. Mr. Mauger stated the proposed specifications that were in the original site plan called for the highest density units (12 to 1, with the possible exception being the senior housing), the tallest building (40 feet high) and the largest development (44 units). Mr. Mauger stated the proposed units were not consistent with what had been done in the past for affordable housing units. Mr. Wittman explained the Township is a long way off from putting a shovel in the ground and Mr. Berkowsky has always worked over the years with the neighbors. In addition, the present ordinance has been pulled and will be revised. Mr. Mauger stated he and his neighbors just want to make sure that the Township gets done what needs to be done and everything is done the right way. Mayor Stout asked Mr. Berkowsky for clarification that the Township's affordable housing has now become all rentals in order to maximize the Township's COAH credits. Mr. Berkowsky confirmed that it has.

Mr. Brian Schilling, 2 Holmes Road, stated he is concerned with the way the COAH calculation is being done. He stated it is reassuring to know the Township is doing everything it can to get it changed. Mr. Schilling added he felt it is contradictory for Cranbury Township to be facing the obligations which have been mandated by the proposed Third Round Rules, let alone losing the prospect of losing Regional Contribution Agreements (RCAs), as Cranbury has been a model municipality regarding Affordable Housing. Mr. Schilling recommended waiting to see what the Township's full obligation will be before advancing with any new construction for affordable housing. Mr. Schilling stated he is concerned also with making Ryan Road an open access road and if the State may have the authority to mandate such. Mr. Schilling also made a

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Cranbury Township Ordinance 04-08-11
(Continued)

recommendation the Township considers submitting an application for a Planning Incentive Grant for open space. He indicated there is now a lot of grant money available through the State.

Mr. Francis Staples, 3 Griggs Road, thanked the Township Committee and Mr. Berkowsky for "keeping the dialogue open". Mr. Staples stated he was recently impressed with the Township's fiscal conservativeness on not purchasing the former PNC bank building. Mr. Staples requested when the ordinance comes up again, the Route 130-D site not be the location to put the affordable rental units (40+ families)--there is not enough land available at the site to have a park for the children. Mayor Stout responded it was not the intent of the Township to try to "squeeze" a lot of families at one site.

Mr. John Ritter, Plainsboro Road, suggested working with the State to allow a U-turn at Dey Road or to find a spot where people could make a U-turn before Dey Road. Ms. Marcelli responded the State does not encourage U-turns and that Dey Road had been dramatically improved about five (5) years ago by a private developer at no cost to the Township. Unfortunately, there is not enough land to have a turn-around at Dey Road. Ms. Marcelli offered to start a dialogue with the State D.O.T. to see what could be done.

Mr. Dan Mulligan, 32 Old Cranbury Road, stated he was pleased the Ordinance was put to rest and recommended the Township wait until COAH makes its final decision before taking any action. He raised his concern with the density issue. He also asked that the Township put more COAH updates on the Township's web site. Mayor Stout indicated the Township would put a hot link on the Township's web site so residents can be better informed. Mr. Panconi added that every day there are ongoing articles in both the Star Ledger and Home News regarding COAH legislation and issues.

Mayor Stout asked for a motion to adopt the Ordinance. Ms. Stave made a motion and no one seconded. For lack of a second, the Ordinance died.

Ordinance
Second Reading

Cranbury Township Ordinance 05-08-12

A motion to enter 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 presented for second reading and final adoption. The Ordinance was published in the Cranbury Press, posted on the Township Bulletin Board and copies were available to the public. Ms. Smeltzer, Township Administrator, stated the Ordinance is a requirement by the State in an attempt to save itself and municipalities money by taking certain titles and positions (for those individuals with higher salaries) and put those employees into a defined contribution plan rather than the present PERS Pension Fund. There is no guarantee of a retirement plan at the end of their career. The Mayor opened the public hearing on the Ordinance. No one present wished to speak, so the hearing was declared closed. On motion by Ms. Stave, seconded by Mr. Stannard, the Ordinance was adopted by a vote:

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

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Cranbury Township Ordinance 05-08-12
(Continued)

(Wittman

Nays: (None

Ordinance
Second Reading

Cranbury Township Ordinance 05-08-13

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance 05-08-13, 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 presented for second reading and final adoption. The Ordinance was published in the Cranbury Press, posted on the Township Bulletin Board and copies were available to the public. The Mayor opened the public hearing on the Ordinance. No one present wished to speak, so the hearing was declared closed. On motion by Mr. Wittman, seconded by Ms. Stave, the Ordinance was adopted by a vote:

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

Nays: (None

Resolutions
Consent Agenda

On motion offered by Ms. Stave, seconded by Mr. Stannard, 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 06-08-102

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 06-08-103

A RESOLUTION CHANGING THE CUSTODIAN OF A PETTY CASH FUND

WHEREAS, T. Witt was custodian of the Public Works Petty Cash Fund, and

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Cranbury Township Resolution # R 06-08-103
(Continued)

WHEREAS, in accordance with N.J.S.A. 40A:5-21, the Township of Cranbury is changing the custodian to Linda Scott; and

WHEREAS, Linda Scott is bonded in the amount of \$200.00 by virtue of a surety bond.

NOW, THEREFORE, BE IT RESOLVED that the Township of Cranbury, County of Middlesex hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Cranbury Township Resolution # 06-08-104

A RESOLUTION ESTABLISHING A NEW PETTY CASH FUND

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any County or municipality by application and resolution, and,

WHEREAS, it is the desire of the Township of Cranbury, County of Middlesex to establish such a fund for the Cranbury Township Police Department in the amount of \$500.00; and

WHEREAS, the custodian for this fund is Edward Kahler, who is bonded for the amount of \$500.00; such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures;

NOW, THEREFORE, BE IT RESOLVED that the Township of Cranbury, County of Middlesex hereby authorizes such action and that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 06-08-105

A RESOLUTION OF THE TOWNSHIP OF CRANBURY AUTHORIZING THE EXECUTION OF
AN AGREEMENT BETWEEN THE TOWNSHIP OF CRANBURY AND THE COUNTY OF
MIDDLESEX

WHEREAS, the County of Middlesex has established a program to partially fund the proper removal of chlorofluorocarbons and other ozone depleting compounds from household appliances such as refrigerators and air conditioners (hereinafter known as "CFS's") and;

WHEREAS, the County will provide partial funding for a three-year period to municipalities for each appliance from which CFC's were properly recovered; and

WHEREAS, municipalities will be required to properly collect the appliances so as to not inadvertently discharge the CFC's, use an approved vendor to recover the CFC's and to provide documentation of the CFC recovery;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the Mayor and Clerk be authorized to execute a three-year interlocal service agreement covering the CFC Recovery Reimbursement Program between the Township of Cranbury and the County of Middlesex.

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Resolutions

On motion offered by Mr. Stannard, 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 06-08-107

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

WHEREAS, governing bodies are concerned about their ability to manage their employees using methods in the most appropriate and efficient manner possible; and

WHEREAS, governing bodies further believe that it is an employer's right to hire, promote, transfer, assign or retain employees in positions deemed necessary and appropriate; and

WHEREAS, Senate Bill No. 1137 would re-define the New Jersey Public Employment Relations Commissions (PERC) law by adding new mandatory subjects of collective bargaining and issues that have been historically non-negotiable would become negotiable; and

WHEREAS, S-1137 will diminish the authority of municipalities over their day-to-day operations and severely impair the ability to manage personnel in an effective manner; and

WHEREAS, these changes are imposed on governing bodies while under severe financial stress, and the State announced plans to substantially reduce or eliminate State aid to many municipalities; and

WHEREAS, S-1137 would increase the time and cost of negotiations which costs ultimately fall on our beleaguered property taxpayers;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of Cranbury Township adamantly opposes adoption of S-1137 which impinges on local management prerogatives, would potentially result in protracted costly negotiations and advances encroachments by public unions;

BE IT FURTHER RESOLVED, that a certified copy of this resolution is hereby forwarded to Governor Jon Corzine, Senator Bill Baroni, Assemblywoman Linda Greenstein and Assemblyman Wayne DeAngelo and the New Jersey League of Municipalities.

Resolution

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

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

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Cranbury Township Resolution # R 06-08-107
(Continued)

Nays: (None)

Cranbury Township Resolution # R 06-08-108

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

WHEREAS, the new formulas established by the Council on Affordable Housing (COAH) Third Round Rules, which became effective on June 2, 2008, have created major issues for Cranbury Township by the likelihood of having to add hundreds of additional affordable housing units; and

WHEREAS, it is the goal of the Township Committee of Cranbury Township to continue to provide affordable housing without bankrupting its taxpayers; and

WHEREAS, certain sections of Assembly Bill A-500, sponsored by Speaker Joseph Roberts, would create an onerous burden for Cranbury Township's taxpayers and cause havoc to what has been a workable plan for Cranbury Township in creating affordable housing opportunities locally as well as regionally; and

WHEREAS, the elimination of Regional Contribution Agreements and the proposed funding of 2.5%, replacing the payments-in-lieu are Cranbury Township's major problems with A-500 as amended; and

WHEREAS, Cranbury needs the ability to contribute to RCAs to stay in compliance with COAH rules; and

WHEREAS, the elimination of the payments-in-lieu fees from non-residential development would be a funding catastrophe, since this is a major source of funding available to Cranbury Township, and the payment-in-lieu will continue to be needed to help finance the jobs/units created;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury that it hereby opposes the proposed legislation as amended made by the Assembly Housing and Local Government Committee to Assembly Bill A-500; and

BE IT FURTHER RESOLVED, certified copies of this resolution be sent to the following:

Governor Jon Corzine
Senate President Richard Cody and all members of the New Jersey Senate
Assembly Speaker Joseph Roberts and all members of the New Jersey General Assembly

Resolution

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

Ayes: (Panconi
(Stannard
(Stave
(Stout
(Wittman

Abstain: (None
Absent: (None

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Nays: (None

CRANBURY TOWNSHIP RESOLUTION R 06-08-109

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the township of Cranbury that the following salaries, wages and fees shall be paid to the various Township Officials and employees of the Township of Cranbury effective January 1, 2008 unless otherwise noted:

<u>POSITION</u>	<u>SALARY OR HOURLY RATE</u>
Police Administrative Assistant	\$22.30 per hour
Plumbing Inspector	\$ 30,299.42

Presentation by representatives of New Jersey American Water Company and their consultant, Gannett Fleming on a proposed water main project on Plainsboro Road:

Mr. Scott Connor, Engineering Manager, New Jersey American Water Company, presented to the Township Committee, a plan to install a new water main. Mr. Connor explained the new water main would start at Aspen Road in Plainsboro and continue to North Main Street in Cranbury. Mr. Connor stated currently Cranbury is served by a 20-inch main single transmission running down Dey Road and if it should require any repairs or need to be taken out of service, New Jersey American Water would lose its ability to maintain the proper water level to Cranbury residents. By allowing the new main to be installed the water company would have a redundant feed into Cranbury and the levels of service would not be compromised. The project would be constructed before the end of the year and will take approximately 8-12 weeks. The cost will be approximately \$2.5-million. New Jersey American Water has applied to D.E.P. for a permit. Mr. Wittman asked Ms. Marcelli, Township Engineer if there are plans to repave Plainsboro Road. Ms. Marcelli indicated when she spoke with New Jersey American Water she had indicated to them Plainsboro Road was in good shape, having been repaved within the past five (5) years. Ms. Marcelli requested that New Jersey American Water pave the section of the road where the trench will be dug and they have agreed. Mr. Wittman asked if temporary water service would need to be installed and Mr. Connor indicated there would be no impact on Cranbury's water service. Ms. Marcelli stated she had recommended that prior to the project starting, a "pre-con" meeting is held at Town Hall with the Police Department and Township Administrator also attending the meeting so everyone is onboard. Mr. Connor indicated letters would be sent out to all residents along Plainsboro Road in advance. Mayor Stout asked for a summary of the project for the Township's web site to alert residents. Mr. Berkowsky, Historical Society, asked about the old Water Tank and the possibility of New Jersey American Water Company reopening discussions concerning the tank. Mr. Connor indicated he had not been part of previous discussions, however, would be willing to have them started again.

Reports from Township Staff and Professionals

Ms. Marcelli, Township Engineer, reported she had held an informational meeting with the residents on Wynnewood and Woodview Drives to let them know that the roads will be resurfaced sometime in the Late Summer/Early Fall. The monies were obtained through a grant from the New Jersey Department of Transportation to fund the project.

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

Ms. Marcelli also reported she had met on May 30th with Joe DiDinato of the Middlesex County Engineer's Office and their consultant, Birdsall Engineering, regarding Old Trenton Road. The purpose of the meeting was to reconfirm that they have the re-alignment of the Millstone Park driveway on their plan and also to discuss the drainage improvements at the intersection of Old Cranbury and Old Trenton Roads. Ms. Marcelli reported the plan the County had was not the best approach to providing drainage and she indicated her Office is working with them to develop a better plan.

Ms. Marcelli reported she had been contacted by the consultant for the Liberty Way Bridge Project. The consultant was under the impression (from the County) the Township was holding up progress of the Bridge Project. She told the consultant that was not the case and will be meeting with them to go over what items are needed from the Township.

Ms. Marcelli reported at the last meeting she had been asked to bring back to the Township Committee information as to where the Township was with the "Sidewalk Project" to date. She explained, in 2004, her Office had gone out and evaluated sidewalks throughout the Township and then determined which sidewalks were in need of repair. All of the sidewalks had been rated and all residents within the area had been contacted and asked if they wanted to repair their sidewalk or otherwise the Township was going out to bid to have it done. Certain properties opted into the Program and others opted to do their own. To date a lot of those homeowners have never had them repaired. Mayor Stout indicated the Township Committee next year may want to revisit the project (to determine what had and had not been done) and then implement the Program again. Mayor Stout suggested passing out literature on Cranbury Day.

Mr. Panconi brought up the issue of the homeowners from Shadow Oaks and Old Trenton Road who have refused to trim bushes that are hanging over the sidewalk and making it virtually impossible to either ride a bike or walk on the sidewalk. He added numerous letters had been sent in the past from the Township to the homeowners. Some of the homeowners, but not all, had responded. In addition, the bushes have not been kept trimmed on a regular basis. Ms. Smeltzer offered to look into the issue and determine if additional letters are needed.

Ms. Cunningham, Clerk, reported she had received a communication from The Cranbury Business and Professional Association asking if the Township still wished to have a table on Cranbury Day, Saturday, September 6, 2008. All members of the Township Committee unanimously agreed to have a table.

Reports from Township Boards and Commissions

There were no reports.

Work Session

a. Monthly Report from Police Chief Edward Kahler

Police Chief Edward Kahler updated the Township Committee for the month of May. Chief Kahler reported the total summonses issued for the month of May were 392; of those 31 were for speeding and other violations-28. The Department's expenditures, from highest to lowest, were training, shift coverage and special details, i.e. the Memorial Day Parade. During the month of May the Police Department conducted its semi-annual firearms training and began the Department's radar-certification and alpha test. The Drug Free Fair and Memorial Day Parade accounted for the increase in expenditures for the month. The Traffic Bureau reported they had successfully completed the "Click It or Ticket Program" and it appears compliance with the seat belt law seems to be increasing. Sgt. Dillane had attended a work-zone safety training update which included new

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requirements for signs at construction sites. Chief Kahler reported motor vehicle accidents had been up slightly from 2007. From January 1, 2007 to June 1, 2007 there

Work Session

a. Monthly Report from Police Chief Edward Kahler (Continued)

had been 118 accidents. For the same time period this year there have been 125 accidents. The Detective Bureau reported they had three (3) arrests in a local copper theft case. One arrest had been made in a bomb threat case. The Detective Bureau will be sponsoring a crime and theft seminar for the Cranbury business community. The Detective Bureau is investigating two (2) active burglaries and a number of thefts; the two are not connected. A total of fifteen arrests had been made in May; two (2) were for drug possession and two (2) arrests for Driving While Intoxicated. The Patrol Unit vehicles put on 13,921 miles during the month of May. In addition, the Police Department had been approached by one of the boy scouts who is doing a project to earn his Eagle Scout Award. He has requested to turn a storage room at the Police Station into a disaster shelter. The Police Department had provided him with a letter and blueprints to proceed. Mr. Wittman suggested the boy scout fill out the Township's "Volunteer Project Form". Ms. Waterbury, Township Attorney, stated the form and guidelines are posted on the Township's web site. Ms. Stave asked about the total summonses totaling 292 and asked what constituted the rest of the numbers other than the 28 already reported. Chief Kahler responded a lot of tickets had been issued for "Click It or Ticket" and some motor vehicle accidents. Ms. Stave asked for statistics on speeding and Mayor Stout requested the Chief provide the Township Committee with a graph, showing the trend in speeding violations since the inception of the "Cranbury Crawl". Mayor Stout reported when Chief Hansen was in command, one of the items the Township had asked him to look into was obtaining a portable vehicle for performing firearms training on site and asked Chief Kahler to look into it. Chief Kahler also reported the Bike Patrol had been active during the month of May.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Mr. Robert Dillon, 32 Hightstown/Cranbury Station Road, spoke concerning a complaint he had filed with the Township concerning Mid-State Filigree which is near his home. Mr. Dillon reported in April, 2008 the company had been fined for removing trees in the set-back areas, in non-setback areas, filling and grading the lot and then covering most of the 16 acre worksite with stone. This had been supposedly done because the State D.E.P. had issued violations to them for discharging of contaminated water. Since then, Mr. Dillon indicated, he has noticed numerous major changes that have been made from the original site plan approved by the Township Planning Board in 1987 and added, the site plan was a result of a court case he was involved with about five (5) years ago. Mr. Dillon reported he had sent a list of recent violations, however, not all, to Jeffrey Graydon, Zoning Officer, the Mayor, Planning Board Chairman, Township Attorney, Planning Board Attorney, Zoning Board Attorney and Township Engineer. At the last informal discussion with Mid-State Filigree at a DRC meeting, the Planning Board Attorney and the Township Engineer viewed the application submitted by Mid-State Filigree as a minor site plan, based only on Mr. Graydon's summons. On or about June 3, 2008, Mr. Graydon called Mr. Dillon concerning the issues and indicated at that time he was not going to investigate any other possible changes that had been made at their site since the original site plan or any other zoning violations---even though a full complaint had been registered. Mr. Graydon indicated the Board had the right to change the minor site plan to a major site plan. When Mr. Dillon questioned the Township Engineer after the DRC meeting concerning the information he had sent her, she indicated she was not going to investigate or visit the site and her role is only to review the site plan and had indicated she would be approving the site plan because it was a minor site plan. Mr. Dillon expressed his concern that any other Board would not be reviewing the site in question once the minor site plan had been approved. Mr. Dillon stated he was respectfully requesting the Mayor and Zoning Board members monitor and inform the Administrative Officer, Township Engineer and Zoning Officer and any other individual employed by the Township of the issue to

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avoid him taking any further legal action. He also requested a proper investigation of Mid-State Filigree take place so that the application can be changed to a major site plan, so that the Planning Board can regulate the application accordingly. Mr. Dillon expressed his frustration with Public Comment (Continued)

Mr. Bob Dillon (Continued)

the Township and the lack of anyone following up with the complaint. Ms. Marcelli responded, stating when Mid-State Filigree came before the DRC they came to the meeting with a non-surveyed plan. Ms. Marcelli indicated she does not survey properties and has no enforcement powers until she has an application and can look at a survey plan that currently exists and compare it to the approved plan from 1987. She added, Mid-State Filigree is aware they have to make an application, and when they do so, she will then go out to the site with the Township Planner and perform an on-site inspection. The Zoning Officer did inform them that they had to come in and make application for a site plan and, if there is any public objection the application, it has to go before the Planning Board. Mayor Stout asked the Township Administrator to reach out to the Planning Board Attorney and Zoning Officer to determine what the status is. Mayor Stout indicated to Mr. Dillon someone would be getting back to him.

Mr. Dave Mauger, 26 Griggs Road, asked the threshold for the number of students Cranbury presently sends to Princeton High School. Mr. Mauger stated whatever the threshold number is could have a serious impact on Cranbury's affordable housing issues. Mr. Stannard responded the School Board would know the actual threshold number. Mr. Mauger stated the Township may want to look at other sites for affordable housing in addition to the Route 130-D site and also recommended the COAH subcommittee adopt town-wide maximums for density for its affordable housing. Mr. Mauger stated under the Fair Housing Act, registered sex offenders are not considered to be a protected class and recommended the Township put a provision in place, without opening the Township up to possible litigation, to prevent registered sex offenders, particularly Level 2 and 3 offenders from living in any of the affordable housing units. There being no further comments, the Mayor closed the public part of the meeting.

Mayor's Notes

On motion by Ms. Stave, seconded by Mr. Wittman and unanimously carried, the meeting adjourned at 9:35 p.m.

Kathleen R. Cunningham, Clerk