

SPECIAL TOWNSHIP COMMITTEE MEETING
July 21, 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., Pari Stave, and Mayor David J. Stout. Messrs. Stannard and Wittman were absent. Also present was: Paul Adezio, Esquire, Attorney, Ellen O'Connell, Esquire, Special Counsel, 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 July 16, 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 July 16, 2008.
- (3) Was filed on July 16, 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 Ms. Stave, seconded by Mr. Panconi, the following resolution was adopted by vote:

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

Nays: (None

Cranbury Township Resolution # R 07-08-132

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 subjects to be discussed in this session are:

- Personnel;
- Negotiations concerning the acquisition of real property – 156 Plainsboro Road, Block 25, Lots 42.01; 42.02.

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

SPECIAL TOWNSHIP COMMITTEE MEETING
July 21, 2008

Cranbury Township Resolution # R 07-08-132
(Continued)

concerning litigation will be announced upon the conclusion of trial or settlement of that litigation or when the need for confidentiality no longer exists.

Date: July 21, 2008

On motion by Mr. Panconi, seconded by Ms. Stave and unanimously carried (with Messrs. Stannard and Wittman absent), the meeting returned to Open Session:

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

Nays: (None

Resolution

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

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

Nays: (None

Cranbury Township Resolution # R 07-08-135

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

A RESOLUTION AUTHORIZING THE COMMENCEMENT AND PROSECUTION OF A TENURE COMPLAINT FOR THE REMOVAL OF THE TOWNSHIP'S TAX COLLECTOR; N.J.S.A. 40A:9-145.8

WHEREAS, Kim McMurtrie, the Township of Cranbury's Tax Collector, has received tenure in her position pursuant to N.J.S.A. 40A:9-142 et seq; and

WHEREAS, there has been demonstrated good cause for Ms. McMurtrie's removal as Tax Collector due to the failure to perform her statutory duties for the Township; and

WHEREAS, N.J.S.A. 40A:9-145.8 establishes the procedure for pursuing tenure charges against, and the removal of, a tenured Tax Collector; and

WHEREAS, it is in the best interests of the citizens of the Township to pursue tenure charges for the removal of Ms. McMurtrie from her position;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the appropriate municipal officials and designated labor counsel, Ellen O'Connell, Esquire, be and hereby are authorized to commence and prosecute a tenure complaint against Kim McMurtrie, the Township's Tax Collector, seeking the removal of Ms. McMurtrie from her position pursuant to N.J.S.A. 40A:9-145.8 and all other applicable law.

SPECIAL TOWNSHIP COMMITTEE MEETING
July 21, 2008

Possible Action regarding acquisition of real property – 156 Plainsboro Road:

Mayor Stout explained that Sallie Toscano made an application to the Middlesex County Agriculture Board to enter the Farmland Preservation Program. The County in turn has looked to the Township to see if it is willing to participate in the Program. Mr. Panconi made a motion to move forward in sending a letter to the County indicating its willingness to participate in the Program for 156 Plainsboro Road, Mayor Stout seconded the motion and it was unanimously carried. (***Ms. Stave did not participate in the vote as she is conflicted***).

Work Session:

- a). Discussion Regarding the Purchase Of A Vehicle For Use By The Township's Fire Official.

The Township Administrator will discuss the purchase of a SUV Vehicle for the Fire Official. Mayor Stout led the discussion stating he had questioned the purchasing of a new vehicle at the last Township Committee meeting for the Fire Official, given the difficult economic conditions. Mayor Stout reported since that meeting, he had learned the vehicle had been specified by the State Bureau of Fire Safety. Mayor Stout added he was a little errant with the issue, however, moving forward next year, the Township needs to be more cognizant of the economic times and change, where possible, if the Township discusses the purchase of vehicles.

Resolution

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

Ayes: (Panconi
(Stave
(Stout
(Wittman

Abstain: (None
Absent: (Messrs. Stannard and Wittman)

Nays: (None

Cranbury Township Resolution # R 07-08-134

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

A RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLES THROUGH STATE
CONTRACT; N.J.S.A. 40A:11-12a.

WHEREAS, the Township of Cranbury, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any good or services under the State of New Jersey Cooperative Purchasing Program from any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of Cranbury has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Township of Cranbury intends to enter into contracts with the following referenced State contract vendors through this resolution and properly executed contracts, which will be subject to all the conditions applicable to the current State contracts:

<u>Commodity/Service</u>	<u>Vendor</u>	<u>State Contract #</u>	<u>Amount</u>
Vehicle (Fire Official)	Warnock Fleet	A70852	\$27,928.80

SPECIAL TOWNSHIP COMMITTEE MEETING
July 21, 2008

Cranbury Township Resolution # R 07-08-134
(Continued)

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for the said purpose in the following account:

For Fire Official Vehicle: C-05-55-915-038

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Cranbury hereby authorizes the purchase of the subject vehicle, pursuant to all conditions of the State contracts; and

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Township's Chief Financial Officer and Fire Official.

Resolutions

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

Ayes: (Panconi	Abstain: (None
(Stave	Absent: (Messrs. Stannard and Wittman)
(Stout	
(Wittman	

Nays: (None

Cranbury Township Resolution # R 07-08-133

NOW, THEREFORE, BE IT RESOLVED, by the Township of Cranbury that all bills and claims as audited and found to be correct be paid.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Mr. Dietrich Wahlers, 33 Hagerty Lane, asked if the Fire Official responds to fire calls. Ms. Smeltzer responded the Township now has a Fire Official and an Assistant to the Fire Official. The Assistant, Sam DiStasio is the Chief of the Fire Company and when he is working for the Township he will respond to any fire calls. The Fire Official's job is to determine the cause of all fires within the Township, however, they do not respond to calls. Mr. Wahlers asked if the vehicle ordered is needed for that purpose. Ms. Smeltzer explained the Fire Official has to transport a certain amount of gear in the vehicle. Mr. Panconi stated the vehicle would not be taken home and added the funds for the purchase are coming out of the "self-sustaining" Fire Official's Budget. There being no further comments, the Mayor closed the public part of the meeting.

Mayor's Notes

Mayor Stout reminded everyone about the public COAH Township Committee meeting to be held next Monday, July 28, 2008, in the Large Group Community Room at the Cranbury School at 7:30 p.m. to let the public know what has been transpiring.

Mayor Stout reported he had received a call from the Regional Planning Associates as a follow up to the study the Township had participated in regarding sustainability.

On motion by Mr. Panconi, seconded by Ms. Stave and unanimously carried, the meeting adjourned at 7:00 p.m.

Kathleen R. Cunningham, Clerk