

TOWNSHIP COMMITTEE MEETING  
August 11, 2008

The regular meeting of the Township Committee of the Township of Cranbury was held at 7:30 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.

Regular Township Committee Minutes on July 28, 2008

On motion by Ms. Stave, seconded by Mr. Wittman and unanimously carried (with Mr. Panconi abstaining), the Township Committee minutes of July 28, 2008, were adopted.

Reports and Communications

--Mayor

Mayor Stout reported that on August 8<sup>th</sup>, he had performed a marriage ceremony in Cranbury Estates.

--Members of Committee

Mr. Panconi reported that he had his monthly meeting with the Fire Company. For July, they had responded to 22 calls; 15 from 6:00 a.m. – 6:00 p.m.; seven (7) from 6:00 p.m. – 6:00 a.m. and seven (7) from 7:00 a.m. to 3:00 p.m. Of those seven (7) calls that occurred from 7:00 a.m. to 3:00 p.m., one employee of the Public Works Department went on four (4) calls and another went on five (5) calls. Having Public Works Employees in the Fire Company is working well. Of the 22 calls, 16 were of the alarm type and seven of those were false alarms. Of the total false alarms none were the "chronic abusers". However, there were three (3) at one place of business and the next day Sam DiStasio, Assistant Fire Official, went to investigate.

Ms. Stave suggested that a meeting be scheduled prior to the next scheduled meeting of September 8, 2008, to discuss COAH. Ms. Smeltzer will check with the professionals as to their availability.

Agenda Additions/Changes

There were no additions/changes.

TOWNSHIP COMMITTEE MEETING  
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Ordinances  
First Reading

Cranbury Township Ordinance 08-08-18

An Ordinance entitled, "CRANBURY TOWNSHIP ORDINANCE 08-08-18, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, MIDDLESEX COUNTY, NEW JERSEY, AMENDING THE CODE OF THE TOWNSHIP OF CRANBURY, CHAPTER 5, POLICE DEPARTMENT, ESTABLISHING A "COMMUNITY EMERGENCY RESPONSE TEAM" AND PROVIDING FOR INSURANCE COVERAGE FOR ITS MEMBERS", was introduced for first reading. On motion by Mr. Panconi, seconded by Ms. Stave, the Ordinance was passed on first reading by vote:

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

Nays: (None

**WHEREAS**, the federal government, in recognition of the need for citizens to be trained in the event of a local emergency, has allocated funding for State, county and local emergency management communities to establish Citizens Corps, which include such initiatives as Community Emergency Response Teams (CERT), Neighborhood Watch and Volunteers in Police Services; and

**WHEREAS**, The Township of Cranbury has previously appointed the Chief of Police of the Cranbury Township Police Department as its Emergency Management Coordinator; and

**WHEREAS**, the Chief of Police will be actively involved in the creation, recruitment and training of a volunteer CERT team, which, when requested by the Township's Emergency Management Coordinator, can provide essential assistance in the event of a *bona fide* emergency; and

**WHEREAS**, it is in the best interests of the citizens of the Township of Cranbury to formalize the creation of the Township's CERT and to establish the obligations for insurance coverage for the volunteers in said program;

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Cranbury, in Middlesex County, New Jersey, that the Township's Code of Ordinances, as previously amended, be further amended as follows:

Section 1.

*§5-11. Community Emergency Response Team; Duties and Responsibilities; Insurance*

A. Establishment

There is hereby established in the Township a volunteer Community Emergency Response Team (CERT). CERT shall consist of up to 50 members. CERT, and its members, shall be under the supervision, and respond to the direction of, the Township's Emergency Management Coordinator.

B. Appointments

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Cranbury Township Ordinance # 08-08-18  
(Continued)

Members shall be appointed to CERT by the Township Committee and shall serve terms of one year. CERT members serve at the will of the Chief of Police.

C. Duties and Responsibilities

The duties and responsibilities of CERT members shall include:

- (1) Active Members: CERT members that are physically able and willing to commit to field operations (directing traffic, administering first aid and other physical activity)
- (2) Auxillary Members: CERT members that can assist with clerical and logistical duties (answering telephones, serving food and other logistical activities)
- (3) Trained Only Members: CERT members who only wish to receive CERT training at this time.

The members shall perform such further duties and responsibilities as assigned by the Township's Emergency Management Coordinator or his/her designee.

D. Insurance Coverage

When performing their duties and responsibilities for the Township, CERT members shall be included in, and covered by, the Township's general liability and workers compensation insurance plans as emergency management volunteers, to the extent permissible under New Jersey law, as same may be amended from time to time.

Section 2. This ordinance will take affect upon its passage and publication, as required by law.

Public Hearing: September 8, 2008

Ordinance  
First Reading

Cranbury Township Ordinance 08-08-19

An Ordinance entitled, "CRANBURY TOWNSHIP ORDINANCE 08-08-19, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, LIMITING THE USE OF THE REMAINDER OF THE WEST PROPERTY (BLOCK 23, LOT 70.02) TO ACTIVE AND PASSIVE RECREATION AND CONSERVATION PURPOSES ONLY", was introduced for first reading. On motion by Ms. Stave, seconded by Mr. Wittman, the Ordinance was passed on first reading by vote:

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

Nays: (None

TOWNSHIP COMMITTEE MEETING  
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Cranbury Township Ordinance 08-08-19  
(Continued)

Public Hearing: September 8, 2008

WHEREAS, the Township of Cranbury owns a 58±-acre parcel known as the West Property and designated as Lot 70.02 in Block 23 on the Cranbury Township Tax Map (the "Property"); and

WHEREAS, the Property is located between Town Hall and the Cranbury Brook; and

WHEREAS, a 34-acre portion of the Property located adjacent to the Cranbury Brook was previously designated as the Cranbury Preserve and was limited to passive recreation and conservation uses only, as set forth more specifically in Ordinance No. 11-04-28 adopted on November 24, 2004; and

WHEREAS, as set forth in Ordinance No. 11-04-28, the remaining 24 acres located adjacent to Town Hall and the school were kept out of the Preserve and were held by the Township for general municipal purposes, including, but not limited to, potential future school expansion; and

WHEREAS, the Cranbury Township Environmental Commission has recommended that these remaining 24 acres be added to the Preserve and restricted to conservation and recreation uses only; and

WHEREAS, the Township Committee agrees that it is in the public interest to protect the remainder of the West Property from future development of any sort, other than for recreation purposes; and

WHEREAS, the Township Committee also finds that it is in the public interest to ensure that this portion of the West Property be available for active recreation, such as playing fields, and not be limited to passive recreation and conservation uses;

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

1. The 24-acre portion of the West Property located adjacent to Town Hall and the Cranbury School, which heretofore was held by the Township for general municipal purposes, including, but not limited to, future school expansion, shall henceforth be used only for active and passive recreation and conservation purposes in accordance with the regulations promulgated by the New Jersey Department of Environmental Protection, Green Acres Program, *N.J.A.C. 7:36-1.1 et seq.* The 24-acre area referred to herein consists of the 24 acres identified in Ordinance No. 11-04-08 as "Tract A2." This 24-acre area is also more specifically described in the document entitled "Description for Deed Easement Unrestricted Portion of Block 23, Lot 70.02 Township of Cranbury, Middlesex County, New Jersey," prepared by Hatch Mott McDonald (James K. Walz, N.J.P.L.S. No. 34024), dated June 28, 2004, attached hereto as Exhibit "A" and made a part hereof, and is more specifically shown on the plan entitled "Plan to Accompany Deed Filing West Property, Block 23, Lot 70.02, Township of Cranbury, Middlesex County, New Jersey," prepared by Hatch Mott MacDonald, dated May 26, 2004, attached hereto as Exhibit "B" and made a part hereof.

2. The Mayor, Township Administrator, Township Clerk, Township Engineer and Township Attorney are hereby authorized and directed to prepare and execute any and all documents and undertake any and all acts necessary to accomplish the purposes hereof.

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Cranbury Township Ordinance 08-08-19  
(Continued)

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

Resolutions  
Consent Agenda

On motion offered by Ms. Stave, seconded by Mr. Panconi, 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 08-08-145

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 08-08-146

WHEREAS, the Township of Cranbury purchased a parcel in the Township of Cranbury, identified as Block 26, Lot 3; and

WHEREAS, property taxes were charged and due;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury that the following 2008 and 2009 property taxes for the above parcel are hereby cancelled:

<b>BLOCK</b>	<b>LOT</b>	<b>ASSESSED TO</b>	<b>2008 Taxes</b>	<b>2009 Taxes</b>
26		Lot 3 Cranbury Township	\$ 5, 175.92	\$ 4,968.63

Cranbury Township Resolution 08-08-147

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR  
FOUR SEASONS AT HISTORIC CRANBURY – PUBLIC IMPROVEMENTS (Block 20, Lots 6,  
10, 14 & 20)

WHEREAS, by letter dated July 17, 2008 KHovnanian 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 July 29, 2008 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Bond	\$832,205.55
Cash Deposit	\$ 92,467.28

TOWNSHIP COMMITTEE MEETING  
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Cranbury Township Resolution # R 08-08-147  
(Continued)

WHEREAS, the Township Engineer has stated a maintenance guarantee shall be posted with the Township for a period not to exceed two (2) years after final acceptance of the improvements in an amount not to exceed 15% of the cost of the improvement. The amount of the required maintenance guarantee to be posted with the Township is \$415,280.35, and the maintenance period shall be for a period of two years from July 29, 2008.

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

It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".

1. It hereby authorizes the release of performance guarantees set forth in the Township Engineer's letter referenced above.
2. 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) Mark Caverly, KHovnanian
- (d) Township Attorney

Cranbury Township Resolution # R 08-08-148

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR  
FOUR SEASONS AT HISTORIC CRANBURY – PRIVATE IMPROVEMENTS (Block 20,k Lots 6,  
10, 14 & 20)

WHEREAS, by letter dated July 17, 2008 KHovnanian 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 July 29, 2008 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Bond	\$197,530.49
Cash Deposit	\$ 21,947.83

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.

TOWNSHIP COMMITTEE MEETING  
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Cranbury Township Resolution # R 08-08-148  
(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) Mark Caverly, KHovnanian
- (d) Township Attorney

Cranbury Township Resolution 08-08-149

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR  
ROCKEFELLER  
Block 8, Lot 1.01  
PRIVATE IMPROVEMENTS

WHEREAS, by letter dated April 16, 2008, The Rockefeller Group 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 24, 2008 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Performance Bond	\$ 1,117,866.58
Cash	\$ 124,207.40

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. Timothy W. Watts, Rockefeller Group
- d. Township Attorney

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CRANBURY TOWNSHIP RESOLUTION # R 08-08-150

WHEREAS, Finigan Property Management, LLC had a water leak and they claim the water did not go into the sewer.

WHEREAS, Finigan Property Management LLC is requesting an adjustment be made to their third quarter water usage.

WHEREAS, an adjustment for \$176.00 should be issued.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, the above Sewer bill be adjusted.

Cranbury Township Resolution #R-08-08-151

WHEREAS, the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex.

NOW, THEREFORE, BE IT RESOLVED on this 11<sup>th</sup> day of August, 2008, that the Township of Cranbury, County of Middlesex, State of New Jersey, hereby recognizes the following:

1. The Township Committee does hereby authorize submission of an application for the Cranbury Municipal Alliance grant for the calendar year 2009 in the amount of \$5,166.00.
2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Cranbury Township Resolution # R 08-08-152

Date of Adoption: August 11, 2008

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF ROAD OPENING ESCROW

WHEREAS, Underground Services has \$2,500.00 in a road opening escrow account previously posted with the Township.

WHEREAS, the Public Works Manager has approved the release of this money

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the Township of Cranbury release Underground Services' road opening escrow account.

TOWNSHIP COMMITTEE MEETING  
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Cranbury Township Resolution # R 08-08-152  
(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:

- (e) Township Chief Financial Officer
- (f) Underground Services 24 Hagerty Rd Ste 11, West Chester, PA

Cranbury Township Resolution # R 08-08-153

WHEREAS, it is recommended that the net amount of grants be cancelled to Fund Balance:

	<u>Description</u>	<u>Receivable</u>	<u>Reserve</u>	<u>Net</u>
2002	Municipal Alliance-State	\$0	\$1030.63	\$1030.63
2002	Municipal Alliance-Local	\$0	\$6426.45	\$6426.45
2003	Municipal Alliance-State	\$0	\$46.00 \$46.00	
2003	Municipal Alliance-Local	\$0	\$12.99 \$12.99	
2004	Municipal Alliance-State	\$1600.00	\$0	(\$1600.00)
2004	Municipal Alliance-Local	\$0	\$12,988.39	\$12,988.39
2005	Municipal Alliance-State	\$883.97	\$367.09	(\$516.88)
2005	Municipal Alliance-Local	\$0	\$15,438.94	\$15,438.94
2006	Municipal Alliance-Local	\$0	\$24,324.08	\$24,324.08
2004	Local Domestic Preparedness	\$0	\$16.33 \$16.33	
2005	Local Domestic Preparedness	\$645.45	\$543.98	(\$101.47)
	NCSR Team Habitat	\$1	\$51.00 \$50.00	

NOW THEREFORE BE IT RESOLVED that these balances be cancelled.

CRANBURY TOWNSHIP RESOLUTION 08-08-154

WHEREAS, it is recommended that the balance of \$66,504.18 in the Emergency Appropriation – Sidewalk Assessment be cancelled to Surplus.

NOW THEREFORE BE IT RESOLVED that this balance be cancelled to Surplus.

Resolution

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-08-08-155

TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

TOWNSHIP COMMITTEE MEETING  
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Cranbury Township Resolution # R-08-08-155  
(Continued)

A RESOLUTION AWARDDING CONTRACT NO. 36 TO DEFINO CONTRACTING COMPANY  
FOR WYNNEWOOD DRIVE AND WOODVIEW DRIVE IMPROVEMENTS

WHEREAS, pursuant to a duly advertised notice to bidders, six bids were received on August 6, 2008 for completion of Contract No. 36, the Wynnewood Drive and Woodview Drive Improvements, as follows:

DeFino Contracting Company	\$215,295.00
Dumor Contracting, Inc.	\$263,260.00
Earle Asphalt Company	\$231,513.13
Intercounty Paving Associates, LLC	\$279,972.00
Meco, Inc.	\$216,999.00
Top Line Construction Corp.	\$228,318.05

and

WHEREAS, the apparent low bidder Joseph DeFino Trucking Company, Inc. t/a DeFino Contracting Company, Inc. ("DeFino Contracting"), with a bid of two hundred fifteen thousand two hundred ninety-five dollars (\$215,295.00); and

WHEREAS, the Township Engineer has recommended that the contract be awarded to DeFino Contracting as the lowest responsible and responsive bidder; and

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds available for this contract.

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

1. Contract No. 36 for the Wynnewood Drive and Woodview Drive Improvements is hereby awarded to DeFino Contracting.
2. The Mayor and Clerk are hereby authorized and directed to execute an agreement with DeFino Contracting consistent herewith.

Resolution

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

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

Nays: (None

Cranbury Township Resolution # R 08-8-156

TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX

TOWNSHIP COMMITTEE MEETING  
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Cranbury Township Resolution # R 08-08-156  
(Continued)

RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE "MIDDLESEX COUNTY  
SUSTAINABLE ECONOMIC GROWTH IMPROVEMENT FUND"

WHEREAS, Cranbury Township has conducted an energy audit of Township Buildings to obtain information about the necessary steps for ensuring that Township Buildings are energy efficient; and

WHEREAS, the audit has identified that a number of improvements can be made to Township Buildings; and

WHEREAS, the Township will be addressing certain needs in 2009 by obtaining new energy efficient new windows and other related improvements for the Old School Building which is used as Cranbury Township Town Hall, and

WHEREAS, the Township of Cranbury is applying for a grant from the Middlesex County Department of Economic Development for funding under the 2009 Sustainable Economic Growth Improvement Fund to procure and install sustainable, energy-efficient windows and related improvements to Cranbury Town Hall, and

WHEREAS, sustainable and energy-efficient renovations for Cranbury Township Cranbury Town Hall will help to conserve energy, reduce environmental impacts, control operating costs of the building and serve as a model to other communities for other such projects;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Cranbury, Middlesex County, New Jersey, does hereby authorize the grant application to be submitted; and

BE IT FURTHER RESOLVED, that Christine Smeltzer, Township Administrator is authorized to sign such application and that she or her successor in said title is authorized to sign the agreement, as well as any other related documents in connection therewith.

**Cranbury Township Resolution # R 08-08-157**  
**Please see below:**

Ms. Marcelli will be meeting with the County regarding the Shared Services Agreement with Middlesex County for improvements to the Brainerd Lake Bridge and Dam Site. The present agreement does not define the improvements and needs to be more definitive. Therefore, Resolution #R 08-08-157 as listed on the Agenda will be deferred until the September 8, 2008, meeting. In discussing the improvements which need to be done to the bridge and dam, Mr. Stannard asked that the letter dated March 24, 2008, to Mayor Stout from the State of New Jersey, Department of Environmental Protection, Division of Parks and Forestry, congratulating Cranbury Township on its achievement of being a Tree City USA community for over 20 years, be put on record.

**Contract Awarded**

A contract has been awarded to Kaiser Building for replacement of the Boy Scout Room floor for a not-to-exceed amount of \$18,780.00. Ms. Smeltzer advised this has been put on the agenda so the public will be aware of what contracts are awarded. Mayor Stout added that there is a +\$20,000.00 bond for improvements to the building and indicated the new floor will be finished in time for the November election.

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Reports from Township Staff and Professionals

Chief Edward Kahler gave his monthly report for July, 2008, to the Township Committee. Chief Kahler reported 221 summonses had been issued. Of those, 70 were for speeding and 23 were for cell phone violations. Expenditures were largely due to special details (fireworks, gas main leak and investigations), shift coverage and prisoner transports. The gas company has been billed for the overtime officers. Chief Kahler reported on the Traffic Bureau:

The "Slow Down in Our Town" Program is scheduled to begin in September. The program is designed to provide residents with "Slow Down in Our Town" lawn signs. A traffic/speed counter, which was obtained through a grant, will be used to determine that best location for the signs.

A \$5,000.00 grant was received from the New Jersey Division of Highway Traffic Safety for the "Over the Limit Under Arrest" impaired driving program which runs from August 15<sup>th</sup> to September 1<sup>st</sup>.

The Detective Bureau is continuing to investigate the recent burglaries and is sponsoring a cargo theft seminar on August 22, 2008. Chief Kahler reported that the CERT team held a meeting on July 15, 2008, where a new vision was presented and well received. A crime prevention lecture was presented to Evans Tract residents on August 7, 2008. There were 47 suspicious vehicle and person calls in July. Ms. Stave advised that residents going out of town should let the Police Department know. Ms. Stave also questioned if the Bike Patrol was active during July. Chief Kahler advised that it was and he will begin providing monthly reports on its activity. Ms. Stave questioned how long the signs will be up for the "Slow Down in Our Town" Program and questioned their effectiveness. Chief Kahler advised the signs can remain as long as the Township allows and believes they are effective.

Mr. Wittman asked if anyone attending the Crime Prevention lecture had been interested in starting a neighborhood "Crime Watch Program". Chief Kahler advised that the meeting held was the first step in starting a "Crime Watch Program" and information on starting such a Program is on the Police Department's website. Crime Watches are established by the neighborhoods and they can choose to do as much or as little as they would like. The Police Department can assist by advising but cannot take action. Mr. Wittman suggested that another crime prevention lecture be held. Mayor Stout suggested that sessions be held on Cranbury Day.

Reports from Township Staff and Professionals

Ms. Cathleen Marcelli, Township Engineer

Ms. Marcelli reported that she is researching whether or not the parking space in front of Dr. Alexander's office could be converted to meet ADA compliance.

Ms. Marcelli provided an update on the relocation of the baseball field at Millstone Park. Ms. Marcelli advised that the initial layout was in compliance with the Recreational Master Plan and then Kenneth Jacobs, Recreation Director, asked that the field be rotated 22.5 degrees North/Northeast, which was done. A question is now being raised if the field should be shifted further North. Mayor Stout advised that he visited the site with representatives from the Little League, Mr. Jacobs and Beth Veghte, Recreation Commission Chair, at which time lines were painted on the field as to the desired location. Ms. Marcelli advised that there are encumbrances (i.e. easements) on the property which they must stay away from. Ms. Marcelli needs the exact location that everyone agrees with drawn on a plan before she will send someone to mark it out. Ms. Marcelli provided a complete plan to Ms. Smeltzer which can be used to draw the desired location of the field. Ms. Smeltzer will schedule a meeting with representatives from the Recreation Commission, Parks Commission and Little League.

Ms. Marcelli asked for direction from the Township Committee on the 2009 Sidewalk Assessment Program. Ms. Marcelli will provide the cost of inspecting the sidewalks in the Village area so money can be budgeted for 2009. Mr. Stannard suggested starting with the sidewalks

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Reports from Township Staff and Professionals (Continued)

Ms. Marcelli, Township Engineer (cont'd)

that were questionable in the prior assessment. Mayor Stout agreed with Mr. Stannard that the questionable areas in the last assessment should be re-inspected as well as Cranbury Estates, since that is the next oldest area.

Ms. Marcelli advised that there were some concerns raised regarding the grading of the Babe Ruth Baseball field and the location of the fence along the foul line. She advised the grading and fence are compliant with the contract plans and with Babe Ruth Baseball standards. Ms. Stave stated that she feels that ball field looks fantastic and is proud of the Project. Ms. Stave addressed the second phase which will include the bleachers, dugouts and scoreboard and recommended that a grant application be made to the County. Ms. Marcelli advised that the irrigation system is in place and she is obtaining the cost to extend it to the West Property soccer fields.

Reports from Township Boards of Commissions

There were no reports.

Work Session

a). Discussion of Township's Comments on COAH's Revised Third Round Rules.

Mary Beth Lonergan, the Township's COAH Consultant, reviewed the Township's comments to Rule Proposals: NJAC 5:97 as published at 40 N.J. Register 3374(a). Ms. Lonergan advised that as a result of the adoption of the Roberts Bill, COAH is in the process of preparing a whole new set of proposed regulations which will be published in September or October, at which time the Township will have a chance to review and respond. Ms. Lonergan briefly summarized the comments which must be submitted by August 15, 2008, which included, but are not limited to, the Township utilizing actual job counts for the warehousing calculation, enabling the subtraction of affordable housing units proposed in a Third Round Plan to address the prior round from projected Third Round Growth share, objecting to COAH's proposed residential and non-residential growth share ratios being retroactive to January 1, 2004, eliminating the requirement that a building must have been occupied within one year prior to demolition, objecting to COAH's elimination of previously certified and granted substantial compliance bonuses, and exempting farm buildings from the imposition of a non-residential development fee.

Ms. Waterbury suggested that the comments include asking for an extension of the December 31, 2008 deadline for the filing of plans. Even though the League of Municipalities has petitioned for a stay of the deadline, the Township should also include the request.

On motion by Ms. Stave, seconded by Mr. Wittman, the Township Committee authorized and approved the comments to be submitted to COAH for the Revised Third Round Rules:

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

Nays: (None

Public Comment

The Mayor opened the meeting to public questions and comments.

TOWNSHIP COMMITTEE MEETING  
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Mr. John Ritter, Plainsboro Road, questioned if a comment should be made to COAH that the regulations will generate a cost to the Township and others. Mayor Stout advised that the prior set of submitted comments established that fact. Ms. Waterbury added that nothing in the regulations require towns to spend taxpayers' dollars and the regulations allow for a number of compliance mechanisms. The issue can be addressed in lawsuits but not in comments.

Public Comment (Continued)

Mr. John Ritter (cont'd)

Mr. Ritter questioned what will happen to the root system of the trees once they are removed from the Brainerd Lake bridge and dam and if it will be more damaging to the structure than removing the trees. Ms. Marcelli stated it is a DEP regulation that no trees can be planted on the dam and bi-annual inspections will be done to assess any damage.

Mr. Ritter also questioned the access to the Route 130-D Development for traffic heading North on 130. Mark Berkowsky, Cranbury Housing Associates, stated they are in the process of examining options.

Mr. Dietrich Wahlers, Hagerty Lane, asked for more details on the Resolutions effecting Four Seasons. Ms. Marcelli advised that she worked very closely with the Homeowner's Association on this matter. Mr. Wahlers confirmed that compliance with the D&R Canal requirement is now the responsibility of the Homeowner's Association.

Dr. Stuart Alexander, 19 North Main Street, advised that clients utilizing the parking area behind his office have a difficult time exiting due to the lack of a site triangle where his driveway and the parking space in front of his office meet, thus creating a safety hazard. Dr. Alexander stated that the parking space should be totally eliminated or, if a handicapped space is created, two (2) spaces should be turned into one. Ms. Marcelli will research and confer with Andrew Feranda, Traffic Consultant of Shopshire Associates.

Mark Berkowsky, Cranbury Housing Associates, expressed his disappointment with the release of the Performance Guarantees for Four Seasons. Mr. Berkowsky explained an easement has still not been granted for the stormwater drain that runs through the CHA property. Ms. Marcelli and Ms. Waterbury advised that the release of the Performance Guarantee could not be held up as this item was not specified. Mr. Berkowsky advised it was agreed to in an informal memorandum that KHov would prepare the paperwork for the easement. Ms. Waterbury will research the issue and report back at the September 8, 2008, meeting.

Dave Mauger, 26 Griggs Road, questioned the side walk assessment. Mayor Stout explained the process.

Mr. Mauger explained a program utilized in his prior neighborhood allowing only residents to park on the street and suggested a program such as this might help with the recent burglaries within the Township.

Mr. Mauger recommended accessibility to mass transit needs to be addressed during the COAH discussions.

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

Resolution

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

Ayes: (Panconi

Abstain: (None

TOWNSHIP COMMITTEE MEETING  
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(Stannard  
(Stave  
(Stout  
(Wittman

Absent: (None

Nays: (None

Cranbury Township Resolution # R 08-08-158

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:

--- Litigation: Discussion of Pending Litigation: John Paff v. Township of Cranbury –  
Docket # L-4047-08.

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: August 8, 2008

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

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

Abstain: (None  
Absent: (None

Nays: (None

Mayor's Notes

Mayor Stout advised that Governor Corzine will be visiting Cranbury on August 13<sup>th</sup>. Mayor Stout will be inviting him to tour Cranbury's affordable housing. Mayor Stout also advised that he received a letter that a Cranbury company is closing and will be laying off more than sixty (60) people.

On Motion by Mr. Wittman, seconded by Mr. Stannard, and unanimously carried, the meeting adjourned at 9:58 p.m.

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Kathleen R. Cunningham, Clerk