

TOWNSHIP COMMITTEE MEETING  
NOVEMBER 10, 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, Wayne Wittman, Township Committeeman-elect Winthrop Cody and Mayor David J. Stout. Ms. Stave was absent. Also present were: Kevin Van Hise, 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.

Township Committee Meeting Minutes of October 13, 2008

On motion by Mr. Stannard, seconded by Mr. Wittman and unanimously carried (with Ms. Stave absent), the Township Committee Meeting Minutes of October 13, 2008 were adopted.

Township Committee Meeting Minutes of October 27, 2008

On motion by Mr. Stannard, seconded by Mr. Panconi and unanimously carried (with Ms. Stave absent and Mr. Wittman abstaining), the Township Committee Meeting Minutes of October 27, 2008 were adopted.

Closed Session Minutes of October 27, 2008

On motion by Mr. Stannard, seconded by Mr. Panconi and unanimously carried (with Ms. Stave absent and Mr. Wittman abstaining), the redacted copy of the Closed Session Minutes of October 27, 2008 were adopted to be released to the public.

Reports and Communications

--Mayor

Mayor Stout welcomed and introduced Township Committeeman-elect Win Cody. Mayor Stout reported he, Ms. Stave and Ms. Smeltzer, Township Administrator had met with members of the Board of Education last week on the transfer of a two (2) acre portion of the West property that is located North of the access road. He reminded everyone the Township had recently extended the Cranbury Brook Preserve to include additional lands and it was requested the Township consider granting the School the land north of the access road. The Township and Board of Education have now come to an agreement and will make the transfer happen before the end of the year. Mayor Stout reported the need for an easement for the Township across the school property was also discussed so the County-funded irrigation can be completed. In addition, the Township will make sure the irrigation system is adequately sized so the School will be able to have access to the main line, should they desire to utilize the system for its fields.

TOWNSHIP COMMITTEE MEETING  
NOVEMBER 10, 2008

Reports and Communications

--Mayor (Continued)

Mayor Stout announced the Township's "Fair Share Housing Plan" can be accessed from the Township's web site for public viewing. Mayor Stout reported the Public Hearing will be held at the Planning Board Meeting on November 20, 2008 at 7:30 p.m. and thanked everyone involved in getting the document completed.

Mayor Stout reported the Cranbury Tax Assessor had sent a letter on October 31, 2008 to the New Jersey Division of Taxation which outlines the 2009 Compliance Plan and indicates the Township is going to review certain properties and revaluations which were under consideration.

--Members of Committee

Mr. Panconi reported he had his monthly meeting with the Fire Company. During the month of October the Fire Company responded to a total of 20 calls. 11 calls were from 6:00 a.m. – 6:00 p.m., nine (9) calls were from 6:00 p.m. – 6:00 a.m. and four (4) calls were between Monday through Friday between 7:00 a.m. – 3:00 p.m. Of the 20 calls, nine (9) were false alarms. Mr. Panconi reported Home Depot had several false alarms over the past few months and Mr. DiStasi, Assistant Fire Official/Inspector, is in the process of meeting with the warehouse staff to determine what the problem is and indicated they will be fined.

Agenda Additions/Changes

Ms. Cunningham, Clerk, reported the Township no longer has a need to go into Closed Session as the individual involved is not present. She also reported Resolution # R 11-08-191 was being removed from the Consent Agenda.

Resolutions

Consent Agenda

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

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

Nays: (None

Cranbury Township Resolution # R 11-08-188

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 11-08-189

TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX

WHEREAS, a lien was sold on Block 20.01, Lot 1 for delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate # 216, was sold for a \$2,000 premium; and

TOWNSHIP COMMITTEE MEETING  
NOVEMBER 10, 2008

Cranbury Township Resolution # R 11-08-189  
(Continued)

WHEREAS, the Tax Collector has received certified funds in the amount of \$5,738.48 for the redemption of Certificate # 216;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury, the above tax-sale premium of \$2,000 be returned to US Bank Corporate Trust Service.

Cranbury Township Resolution # R 11-08-190

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

A RESOLUTION AUTHORIZING YEAR 2008 BUDGET TRANSFERS.

WHEREAS, there are 2008 Budget Accounts which require more funding due to circumstances not known at the beginning of the year; and

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

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury, that the following year 2008 Budget Transfers be authorized and made on the records and accounts of the Township:

	<u>Budget Account</u>	<u>From</u>	<u>To</u>
8-01-27-330-011	Board of Health S&W		\$520.00
8-01-27-360-011	Human Services S&W		\$1,125.00
8-01-27-335-011	Environmental Comm S&W		\$225.00
8-01-27-340-011	Animal Control S&W	\$1,870.00	
8-01-25-256-025	LOSAP O&E		\$570.00
8-01-43-490-320	Municipal Court O&E		\$50,000.00
8-01-36-477-025	DCRP O&E		\$3,240.00
8-01-20-151-025	Tax Map O&E		\$5,000.00
8-01-20-100-025	A&E-Misc		\$1,000.00
8-01-20-100-120	A&E-Postage		\$4,000.00
8-01-20-100-320	A&E-Other Contracts		\$17,800.00
8-01-20-100-510	A&E-Equipment Contract		\$4,770.00
8-01-21-181-310	Master Plan-Planner	\$37,000.00	
8-01-31-455-011	Sewer S&W	\$15,000.00	
8-01-21-180-313	Planning-Ctr Designation	\$10,000.00	
8-01-20-165-181	Engineering-Master Plan	\$24,380.00	
8-01-25-240-100	Police-Advertising	\$500.00	
8-01-25-240-110	Police-Books	\$658.50	
8-01-25-240-130	Police-Printing	\$1,000.00	
8-01-25-240-150	Police-Travel Allow	\$1,500.00	
8-01-25-240-160	Police-Membership Dues	\$366.00	
8-01-25-240-180	Police-Meetings	\$2,045.00	
8-01-25-252-190	OEM-Training	\$2,500.00	
8-01-25-252-500	OEM-Equip Non Capital	\$500.00	
8-01-26-315-240	Vehicle Maint-Police		\$9,069.50
8-01-30-420-501	Celeb Pub Events-Fireworks	\$1,000.00	

TOWNSHIP COMMITTEE MEETING  
NOVEMBER 10, 2008

Cranbury Township Resolution # R 11-08-190  
(Continued)

8-01-30-420-502	Celeb Pub Events-Band	\$1,000.00	
8-01-26-290-190	Roads-Training	\$1,000.00	
8-01-26-295-440	Shade Tree-Horticult Mat	\$1,600.00	
8-01-28-375-320	Parks-Other Contr Serv	\$6,300.00	
8-01-28-375-450	Parks-Maint Serv & Mat	\$2,500.00	
8-01-28-375-500	Parks-Equip Non Capital	\$4,000.00	
8-01-26-315-726	Veh Maint-1995 Dump Truck		\$1,000.00
8-01-26-315-728	Veh Maint-1995 Dump Truck		\$2,000.00
8-01-26-315-768	Veh Maint-2004 Dump Truck		\$1,000.00
8-01-26-305-322	Garbage-Fall Cleanup	\$2,700.00	
8-01-26-310-025	Pub Bldgs-Misc		\$5,400.00
8-01-31-440-310	Telephone-Pub Bldgs		\$5,900.00
8-01-26-306-725	Recycling-2001 Leaf Vacuum		\$1,000.00
8-01-31-460-290	Motor Fuel-Public Works		\$2,000.00
8-01-31-430-310	Electric-Pub Bldgs		\$3,500.00
8-01-26-306-728	Recycling-2002 Chipper		\$1,000.00
8-01-26-305-240	Garbage-Police	\$2,700.00	
		<hr/>	<hr/>
		\$120,119.50	\$120,119.50

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

- (a) Township Auditor
- (b) Township Chief Financial Officer
- (c) Township Administrator

Cranbury Township Resolution # R 11-08-192

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE  
MUNICIPAL BUDGET OF THE TOWNSHIP OF CRANBURY PURSUANT TO N.J.S.A. 40A:4-87  
(CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

Section 1

NOW, THEREFORE, BE IT RESOLVED that the Township Committee hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2008 in the sum of \$5,000.00 which item is now available as a revenue from the State of New Jersey pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$5,000.00 is hereby appropriated under the caption Over the Limit Under Arrest Year End Crackdown.

TOWNSHIP COMMITTEE MEETING  
NOVEMBER 10, 2008

Cranbury Township Resolution # R 11-08-192  
(Continued)

Section 3

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

- (a) Director of the Division of Local Government Services
- (b) Township Auditor
- (c) Township Chief Financial Officer

CRANBURY TOWNSHIP RESOLUTION # R 11-08-193

TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX

RESOLUTION REJECTING BIDS FOR INSTRUMENTATION, CALIBRATION AND SERVICE  
FOR THE TOWNSHIP'S PUMP STATIONS

WHEREAS, pursuant to the Local Public Contracts law (N.J.S.A. 40A:11-1 et seq) the Township of Cranbury solicited bids for "Instrumentation, Calibration and Service" for the Township's Pump Stations; and

WHEREAS, on November 5, 2008 Integrated Systems & Controls and TJM Controls, Inc. submitted bids in the amounts of \$22,170.00 and \$14,000.00, respectively; and

WHEREAS, the Township Attorney and Township Administrator have recommended the rejection of both bids due to a Township error in the specifications; and

WHEREAS, it is necessary to rebid the project in order to comply with the aforesaid Local Public Contracts law;

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

1. The bids received on November 5, 2008 for "Instrumentation, Calibration and Service" for the Township's Pump Stations are hereby rejected.
2. The Administrator is hereby authorized and directed to solicit new bids for the Project in accordance with law.

Reports from Township Staff and Professionals

Police Chief Edward Kahler Monthly Report from Police Chief Edward L. Kahler, III for the month of October, 2008. Chief Kahler reported ten (10) speeding summonses had been issued for the month. He indicated the low number was due primarily to Plainsboro Road being under construction and there were four (4) cell phone violations. Expenditures (from highest to lowest) were: Shift coverage, Investigations and Training. The Traffic Bureau was able to use grant money to purchase one new Radar unit (from the Drunk Driving Grant). The Detective Bureau recovered stolen property and made theft arrests. They also met with burglary victims in an attempt to return stolen property that had been recovered. Chief Kahler reported CERT had a meeting in October and the CERT members had been deployed to assist with the Halloween crowds. Halloween went smoothly and he expressed the Department's gratitude for the renewed

TOWNSHIP COMMITTEE MEETING  
NOVEMBER 10, 2008

Reports from Township Staff and Professionals  
Police Chief Edward Kahler (Continued)

interest in the CERT Program and look forward to a long and productive working relationship with the members. The bicycle patrols had been out on nine (9) occasions, not including Halloween.

Chief Kahler stated the Police Department had five (5) Driving While Intoxicated (DWI) cases in October and one (1) CDS (drug) arrest. Mr. Panconi asked about two (2) recent incidents of residents receiving tickets in the mail and asked for an explanation of what type of scenario this would occur. Chief Kahler responded tickets are often mailed to offenders due to an officer performing another duty at the time and added he explained an officer usually has 30 days to issue traffic summonses; some as much as 60 days or six (6) months.

**Note:** Award of Quote-Proposal # 1648 for removal and replacement of defunct heaters with radiant heaters for the Cranbury Fire House, in the amount of \$20,875.00 to Chas. L. Smith Plumbing & Heating. Ms. Smeltzer, Township Administrator, explained the Township now has a policy of publishing when it awards a contract after obtaining quotes and for anything under the Township's threshold which is \$21,000.00. This will be an energy-savings and the monies to pay for this are from a sustainability grant from Middlesex County. Mayor Stout added, this came about from the energy audit which had been done.

Reports from Township Boards and Commissions  
There were no reports.

Work Session

a). Discussion of Various Parking Space Issues in the Village Area

Mr. Stannard led the discussion. He stated over the last several months, and in one case, quite a bit longer than that, the Township has been receiving requests from citizens for resolution to traffic issues. The two significant issues to parking in the Village area are related to the PNC Bank Building and the space in front of Dr. Stuart Alexander's property (next to the Methodist Church). There are presently two (2) spaces in front of Dr. Alexander's property and he has requested one (1) of those spaces be removed due to a site triangle issue. Another issue is whether or not there should be "private parking or resident-only parking" in certain areas. Mr. Stannard reported the area in question is across the street from the Gil & Bert's Ice Cream Parlor which is located on North Main Street. In the summertime the residents' parking spaces are used up until the ice cream parlor closes. One resident had recommended to Mr. Stannard the Township consider closing all of the parking spaces from 7:00 p.m. until 7:00 a.m. Charmed by Claire up to the First Constitution Bank. Mr. Stannard indicated that would involve about eight (8) spaces. Mr. Stannard added PNC Bank has always provided about 15 spaces for use by Township residents. With the possibility of a new owner purchasing the property, the Township might not be able to continue the practice. Mayor Stout recommended the issue concerning the residents' parking issue across from Gil & Bert's should be referred to the Township's Planning Board as they are the ultimate authority. Mr. Wittman stated allowing that would be a "horrible precedent to set" in the commercial area in the Town because you would then have to allow it in the entire Village. Mr. Wittman added the mixed use with both residents and businesses have existed for a very long time in the Village area and the Township wants to try to encourage businesses in Town and try to co-exist with residents. Mayor Stout stated it would be a Planning Board issue as they are the appropriate authority to review the issue. Mayor Stout opened the issue up to the public:

Mr. Dietrich Wahlers, 33 Hagerty Lane, asked what the problem is concerning the general parking and requested some data in support of a problem existing. Mr. Wahlers reported he had driven through Town at 4:00 today and there were one-half of the existing parking spaces filled. Mr. Wahlers stated, whenever the Planning Board (he is a

TOWNSHIP COMMITTEE MEETING  
NOVEMBER 10, 2008

Work Session (Continued)

- a). Discussion of Various Parking Space Issues in the Village Area(cont'd)  
Public Comment (cont'd)  
Mr. Dietrich Wahlers(cont'd)

member) raises the issue of a lack of parking to the Township Planner, his basic response is there is no problem.

Dr. Alexander explained last year he had gone before the Planning Board to request the removal of the one space in front of his office as the County had determined when they approved his application that there exists a "site-triangle blockage" which is causing a safety hazard. The County had two (2) resolutions to the problem; one (which they indicated they could mandate) was to have a "right-turn only" out of the parking lot. The other (which they cannot mandate) would be to ask the Township to remove the parking spot that is causing the site blockage. The County recommended Dr. Alexander approach the Township to request the removal of the spot which he stated he did over a year ago. At that time Andrew Feranda, Traffic Consultant, discussed what he thought would be appropriate and said that there were a couple of solutions and had left it up to the Township Planning Board to resolve. Dr. Alexander reported he waited until October and then again contacted the Planning Board and they indicated they would look into it. Since then nothing has happened. Dr. Alexander stated the issue is an issue of safety. He explained there was no driveway at the location when the home was built or when the parking spot was originally put in front of where the driveway exists now. Dr. Alexander addressed the issue of there not being enough parking for businesses in Town and made reference to the new "Blue Rooster" being granted a variance based on there being enough parking on the street. He urged the Township to remove the parking place and stressed it being a safety issue. Mr. Stannard indicated he had measured some of the driveways and it turns out the driveway between The Blue Rooster and Dr. Alexander's office is substantially wider than the other spaces along the same stretch of the road. The ability to see around the building as one is ready to make a right-hand turn is no worse at Dr. Alexander's than at any others. He added he can see the potential for setting a precedent. Mr. Panconi asked if the other driveways have the same amount of traffic as Dr. Alexander's office. Mr. Stannard stated he is not aware of any and stated there is a multi-dwelling home at 5 North Main Street but did not know if the traffic flow in and out of the driveway was substantial. Dr. Alexander stated the driveway width is not the issue; the problem is that the parking spot is close enough that it meets the end of the driveway causing the site-triangle problem. Mr. Panconi stated he is in agreement with Dr. Alexander that the space should be removed. He added the people using the driveway are not used to using the driveway as opposed to people who live in Town. Mr. Wittman concurred with Mr. Panconi. Mr. Stannard stated no other driveway has a parking place directly at the end as Dr. Alexander's parking place does. Mayor Stout recommended prohibiting parking in the space during certain hours and suggested having something drafted.

Mr. Frank Marlowe, 11 North Main Street, reminded everyone most of the buildings that exist in the Village area were built before cars. Modern buildings have a two-lane access and plenty of parking spaces with good line sight. Mr. Marlowe stated most of the buildings near or adjacent to Dr. Alexander's Office for one reason or another are unsafe as far as the parking issue is concerned. Mr. Marlowe stated he does not feel it is acceptable to make an exception for Dr. Alexander without input from others for similar exceptions. Mr. Marlowe added, to take away the parking space would be a disservice to the residents in Cranbury and nearby businesses depend upon parking spaces for the success of their businesses. Mr. Marlowe reported in the 27 years he has lived at 11 North Main Street, there has never been an incident of cars colliding when exiting a driveway. He stated the "safety issue" has not been supported adequately and is an

TOWNSHIP COMMITTEE MEETING  
NOVEMBER 10, 2008

Work Session (Continued)

- a). Discussion of Various Parking Space Issues in the Village Area(cont'd)  
Public Comment (cont'd)  
Mr. Frank Marlowe(cont'd)

unfair issue to use to get rid of a parking space and is unfair to the other residents who have not asked that special considerations be given. Mayor Stout stated that is why the issue is being discussed. Mr. Wittman added the Township is in a very unique situation with Dr. Alexander's driveway and that is what needs to be addressed. He stated if other residents had businesses in their buildings and a similar situation, the Township Committee would have to address each one on a case-by-case basis. Mayor Stout reminded everyone it was the County who raised the issue originally and suggested the Township go back to the County on what basis they had made their recommendation to eliminate the parking space. Mr. Panconi stated everyone needs to take into account the patients who visit Dr. Alexander are not familiar with the area nor the driveway and it is a safety issue. He recommended, on a temporary basis, limiting the times of parking in front of Dr. Alexander's office. Mayor Stout stated again he would like to determine from the County on what basis they made the request. He added at the same time it does not prohibit the Township from requesting the Township Attorney draft something up (prohibiting parking during certain hours). Mr. Stannard reported in speaking with Mr. Feranda, Traffic Consultant to the Township, he specifically stated the space does not meet current standards in size. Mr. Stannard requested, should a resolution be drafted, language be added indicating that the space in question does not meet current standards in size. Dr. Alexander stated he came before the Township Committee because the County advised him to do so. He added, the Township Traffic Consultant, Mr. Feranda, had indicated, "from a traffic standpoint, there is a site distance issue and removing the parking space would allow vehicles exiting to be able to look to the left safely for southbound oncoming vehicles."

- b). Discussion of Proposed 2009 Township Committee Meeting Schedule  
The Township Committee discussed and reviewed the proposed 2009 meeting schedule and unanimously agreed to have meetings at 7:00 p.m. during 2009.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. There being no comments, the Mayor closed the public part of the meeting.

Mayor's Notes

Mayor Stout thanked everyone for coming out to vote.

On motion by Mr. Stannard, seconded by Mr. Wittman and unanimously carried, the meeting adjourned at 8:55 p.m.

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Kathleen R. Cunningham, Clerk