

TOWNSHIP COMMITTEE MEETING
JULY 11, 2005

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 was: Township Committee members: Thomas Panconi, Jr., Richard Stannard, David J. Stout, Pari Stave and Mayor Beauregard. Also present were: Trishka Waterbury, Esquire, Attorney, Cathleen Marcelli, Engineer, Thomas Witt, Acting Administrator and Kathleen R. Cunningham, Clerk. Mayor Beauregard 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 6, 2004 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 6, 2004.
3. Was filed on December 6, 2004 with a Deputy Municipal Clerk at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey and remains on file for public inspection, and
4. Sent to those individuals who have requested personal notice.

Committee Minutes of June 27, 2005.

On motion by Mr. Panconi, seconded by Mr. Stout and unanimously carried, the minutes of June 27, 2005 were adopted.

Reports and Communications

--Mayor

Mayor Beauregard reported she had received a letter from the State Green Acres Program, indicating the Township would be receiving a \$400,000 matching grant for Open Space.

--Members of Committee

Mr. Panconi reported he had had his monthly meeting with Chief Hansen to review any outstanding issues and review overtime. Mr. Panconi reported the overtime had been well within budget. Chief Hansen and Mr. Panconi had also reviewed the Chief's presentation on the bicycle patrol program.

--Subcommittees and Ad Hoc Committees

Mr. Panconi reported the Personnel subcommittee had forwarded the ad for Township Administrator to New Jersey Municipal Management Association and they would be posting it in their newsletter.

Mr. Stout reported he and Ms. Stave and the Signage subcommittee had met earlier in the evening and Mr. Feranda from Shropshire Associates would be making a presentation to the Township Committee.

Agenda Additions/Changes

Ms. Waterbury, Township Attorney, indicated the Township Committee would be going into Closed Session to discuss under contract negotiations; discussion of a potential property lease.

Resolution

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

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

Nays: None

Cranbury Township Resolution # R 07-05-146

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

RESOLUTION TO CLOSE MEETING TO THE PUBLIC

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

The general nature of the subject to be discussed in this session is as follows:

1. –Contract Negotiations; Discussion of a possible property lease.

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: July 11, 2005

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

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

Nays: (None

Ms. Cunningham, Clerk, announced there would be an item d. added to the Work Session, "Request from Sprint for construction of a cell tower". Ms. Cunningham also indicated there was a possibility action would taken and if so, would be in the form of Resolution Number 07-05-147.

Ordinances
First Reading

Cranbury Township Ordinance # 07-05-19

An Ordinance entitled, Cranbury Township Ordinance # 07-05-19, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTERS 2,3,4 AND 5 OF THE CODE OF THE TOWNSHIP OF CRANBURY, ENTITLED, "TOWNSHIP COMMITTEE," OFFICERS AND EMPLOYEES,"RESERVED," AND "POLICE DEPARTMENT," RESPECTIVELY, was introduced for first reading. On motion by Mr. Panconi, seconded by Mr. Stannard, the Ordinance was passed on first reading by vote:

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

Nays: None

Public Hearing: July 25, 2005

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX
STATE OF NEW JERSEY

WHEREAS, the Township is in the process of updating the entire Code of the Township of Cranbury ("Code"); and

WHEREAS, it has been determined that in the interest of allowing reasonable review time for the Township Committee and the public, and expediting adoption of necessary revisions, groups of Chapters will be amended in a series of Ordinances, followed by adoption of the entire Code in book format; and

WHEREAS, Chapters 2, 3 and 5 of the Township Code have been extensively reviewed and revised, and Chapter 4 has been reserved for future use;

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranbury, Middlesex County, New Jersey, that the Code of the Township of Cranbury ("Code") be amended as follows:

1. Chapters 2, 3, 4 and 5 of the Township Code are hereby amended in their entirety and are incorporated herein by reference and are summarized in sections 2 through 5 of this ordinance.
2. A summary of the provisions set forth in revised Chapter 2, entitled "Township Committee," is as follows:
 - a. Article I clarify the responsibilities of the Township Committee and the Mayor, and establish procedures for meetings, adoption of bylaws, and a procedure for appointment of a deputy mayor.
 - b. Article II clarifies the procedures for standing committees and includes specific provisions concerning the duties and responsibilities of the Personnel Subcommittee.
3. A summary of the provisions set forth in Chapter 3, entitled "Officers and Employees," is as follows:

Cranbury Township Ordinance # 07-05-19
(Continued)

- a. Article I details of the procedures for appointment of a Township Administrator, and specify the duties of that office.

- b. Article II details the procedures for appointment of a Township Clerk, specifies the duties of that office, and allows for the appointment of a full-time or part-time deputy township clerk
- c. Article III and Article IV clarify the roles of the Township Attorney, and of the Municipal Public Defender and Municipal Prosecutor, respectively.
- d. Article V details the procedures for appointment of a Township Engineer and specifies the duties of that office.
- e. Article VI details the procedures for appointment of a Township Auditor and specifies the duties of that office.
- f. Article VII details the procedures for appointment of a Chief Financial Officer and specifies the duties of that office.
- g. Article VIII details the procedures for appointment of a Treasurer and Deputy Treasurer and specifies the duties of those offices.
- h. Article IX details the procedures for appointment of a Tax Collector and specifies the duties of that office.
- i. Article X details the procedures for the appointment of a Tax Assessor and specifies the duties of that office.
- j. Article XI details the procedures for the appointment of a Purchasing Agent and specifies the duties of that office.
- k. Chapter 4 is "Reserved."
- l. A summary of the provisions set forth in Chapter 5, entitled "Police Department," is as follows:

This Chapter specifies the procedures for the organization and manpower of the Township Police Department, specifies that the Township Committee serves as the Appropriate Authority pursuant to applicable state law, and sets forth the procedures for appointment of the various members and officers of the Department. The Chapter also provides for rules and regulations of the department, describes statutory disciplinary procedures, and includes references to private duty service, drug screening procedures, and reimbursement of legal fees in certain cases.

- m. Copies of amended Chapters 2, 3, 4, and 5 of the Code of the Township of Cranbury are on file in the office of the Township Clerk and shall remain there for the use and examination of the public until final action is taken on this ordinance. If this ordinance is adopted, a full copy shall be certified by the Township Clerk

Cranbury Township Ordinance # 07-05-19
(Continued)

- n. and shall be incorporated into the official published volume of the Township Code.

- o. The Township Clerk shall cause to be published in the manner required by law, a copy of this adopting ordinance in the Township's official newspaper. The enactment and publication of this adopting ordinance, coupled with the availability of full copies of Chapters 2 through 5 in the office of the Township Clerk for inspection by the public shall be deemed to be due and legal publication of all of the provisions of Chapters 2 through 5 of the Code of the Township of Cranbury for all purposes, in accordance with N.J.S.A. 40:49-4.
- p. This ordinance shall take effect upon notice and publication, as provided by law.

Ordinance
Second Reading

Cranbury Township Ordinance # 06-05-14

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 06-05-14, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY AMENDING "AN ORDINANCE FIXING THE SALARIES AND WAGES 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 Ms. Stave, seconded by Mr. Stannard, the Ordinance was adopted by a vote:

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

Deputy Treasurer/Sewer Collector	up to \$19.50 per hour
Assessing Clerk/Payroll Clerk	up to \$20.80 per hour

SECTION I. 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 May 9, 2005 unless otherwise noted.

Ordinance
Second Reading

Cranbury Township Ordinance # 06-05-17

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 06-05-17, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY AMENDING "AN ORDINANCE OF THE TOWNSHIP OF CRANBURY AMENDING "AN ORDINANCE FIXING THE SALAIRES AND WAGES FOR VARIOUS OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF CRANBURY

Cranbury Township Ordinance # 06-05-17 (Continued)

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 Ms. Stave, seconded by Mr. Panconi, the Ordinance was adopted by a vote:

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

Acting Township Administrator up to \$26,900.00 per year

SECTION I. 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 May 30, 2005 unless otherwise noted.

Resolutions Consent

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

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

Cranbury Township Resolution # R 07-05-144

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

***** Please Note: Voucher Numbers 00R1530 and 00R1531 were not authorized to be paid by the Township Committee.**

Cranbury Township Resolution # 07-05-145

RESOLUTION AMENDING RESOLUTION # 06-02-101 AND INCREASING THE BID THRESHOLD

WHEREAS, by Resolution # 06-05-101 adopted on June 17, 2002, the Township Committee appointed Thomas C. Witt as the Township's Qualified Purchasing Agent pursuant to N.J.S.A. 40A:11-2(30) and N.J.A.C. 5:34-5.1; and

Cranbury Township Resolution # R 07-05-145 (Continued)

WHEREAS, also pursuant to Resolution # 06-05-101, the Township increased its bid threshold to \$25,000.00, as permitted by N.J.S.A. 40A:11-3a. and N.J.A.C. 5:34-5.2; and

WHEREAS, pursuant to his authority under N.J.S.A. 40A:11-3c, the Acting Governor has increased the maximum bid threshold from \$25,000.00 to \$29,000.00, effective July 1, 2005; and

WHEREAS, the Township seeks to raise its bid threshold from \$25,000.00 to \$29,000.00, as permitted by law.

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

1. The Township's bid threshold is hereby increased to \$29,000.00; and
2. Resolution # 06-02-101 is hereby amended to reflect that the bid threshold has been increased to \$29,000.00; and
3. The following shall be filed with the Director of the Division of Local Government Services as required by N.J.A.C. 5:34-5.2(b):
 - a. A certified copy of this resolution;
 - b. A certification from the Administrator that Thomas C. Witt exercises the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30); and
 - c. A copy of Thomas C. Witt's qualified purchasing agent certification.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a resolution, which was adopted by the Township Committee on July 11, 2005.

Reports from Township staff and professionals

There were no reports.

Reports from Township Boards and Commissions

There were no reports.

Work Session

- a. Discussion of Township's C.O.A.H. Third Round Obligation (Mary Beth Lonergan & Trishka Waterbury, Township Attorney).

Mary Beth Lonergan, Clarke-Caton-Hintz and the Township Attorney, Ms. Waterbury, discussed with the Township Committee the Township's third round C.O.A.H. obligations. Ms. Lonergan gave a brief summary of the Township's past C.O.A.H. obligations and how they were met. Ms. Lonergan explained in the Third Round Obligations, for every eight (8) market rate units, starting January of 2004, one (1) affordable unit must be provided and for every 125,000 square feet of warehouse space. Ms. Lonergan indicated the Township's plan must be submitted no later than December 20, 2005. Ms. Lonergan explained the Township's "gross share" in the Third Round Obligation would be 160 units and of that amount, regional contribution agreements (R.C.A.s) would be allowed to address one half (80). Ms. Lonergan indicated the Township had nine (9) units banked, therefore leaving 71 to be used for R.C.A.s. Mayor Beauregard explained the Township needed to take time to identify

Work Session

- a. Discussion of Township's C.O.A.H. Third Round Obligation (Mary Beth Lonergan & Trishka Waterbury, Township Attorney).

the receiving community and execute the agreements that are required in order to meet the December 20, 2005 deadline. Mayor Beauregard indicated the subcommittee, staff and Ms. Lonergan had been working very hard to put the information together that would allow the Township to put the calculation together that would be supportable under the C.O.A.H. obligation. The Mayor asked the Township Committee to authorize her to go out and have the

discussions with any interested receiving communities. Ms. Lonergan reported in the past Cranbury's receiving communities had been Perth Amboy (76 units) who had been able to "piggy-back" those funds with other monies and in the first and second rounds were able to assist with the new construction of over \$4-million in affordable housing. Also 34 units were transferred in the second round to Carteret who utilized much of their funds for new senior affordable housing. For the third round the minimum transfer will be \$35,000 per unit, with an increase should there be a need for a rental transfer obligation. Ms. Lonergan stated the staff and subcommittee had been comfortable with the projected numbers of the developers' fees coming to the Township and the projected fees would cover the \$2.8 million cost for the R.C.A.s. Mayor Beauregard reported the Township would not have to pay the monies for the R.C.A.s all at once, there would be a payment schedule over a ten-year period and if the monies were managed correctly, the Township would have the monies to assist Cranbury Housing Associates in the construction of the affordable units the Township would have to build. Ms. Lonergan explained the contract for the R.C.A.s would not be signed and effective until after C.O.A.H. approved it which may not be until 2006. Ms. Lonergan stated currently there was \$500,000 in the Township's Housing Trust Fund and over the next few years it was anticipated there would be another \$1.5 million. The Township Committee unanimously gave the subcommittee the authority to approach receiving municipalities in Middlesex County. Ms. Lonergan indicated she would have a formal resolution prepared for adoption by the next Township Committee meeting on July 25, 2005 authorizing the Mayor to execute any documents needed to effectuate the R.C.A.

b. Presentation by Chief Jay Hansen on Bicycle Safety Patrol

Chief Jay Hansen gave a presentation to the Township Committee on creating a bicycle safety patrol. Chief Hansen reported the objective would be to equip two officers with the necessary equipment to begin a bicycle patrol as early as September 10, 2005 for Cranbury Day. There are two officers who are currently trained (at a cost savings of \$1,330 each), both being permanently assigned to the night shift. Chief Hansen indicated under the existing police contract he is not able to reassign them to the day shift, requiring them to be paid overtime. Chief Hansen reported the total cost to initiate the bicycle patrol would be \$5,235.00. The cost represents two (2) fully equipped bikes at \$1,050 each (with volume discount), one (1) bike rack and two (2) sets of riding apparel & nylon web equipment at \$1,500 each. The Township Committee discussed with Chief Hansen the proposed plan and unanimously agreed to locate money in the budget to fund the program.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Ms. Deanne Napurano, 92 Halsey Reed Road, representing residents of Halsey Reed Road spoke concerning their requests to get public utilities. Ms. Marcelli addressed Ms. Napurano, indicating Mr. Witt, who was on vacation, had taken the lead on this issue and had been working to resolve it. Ms. Marcelli indicated the water hook up should be a quick process, providing there was

Public Comment (Continued)

a water line coming up Halsey Reed Road. Ms. Marcelli stated the residents would have to incur the costs of making the connection to their private homes. Ms. Marcelli indicated Mr. Witt had been in touch with Elizabethtown. Ms. Marcelli indicated the sewer service issue would be a more difficult process as the sewer district was in Cranbury Township and if the residents were to connect to the Monroe Township system, an amendment would have to be done to the overall sewer plan. The State would have to approve the amendment and would involve having a study done first. Mayor Beauregard indicated she would speak with Mr. Witt when he returns from vacation on Wednesday and get an update. The Mayor indicated either Mr. Witt or she would follow up with Ms. Napurano. Ms. Marcelli suggested this issue be referred to the subcommittee (which had been formed when residents of South Main Street requested to be hooked up to services recently) and hold a meeting of both the residents from South Main Street and Halsey Reed Road to explain the process and also invite Mr.

Michael Rogers of Monroe Township Utilities Authority. Ms. Susan Hamilton, Halsey Reed Road, raised concern of not getting any notification from Monroe Township concerning a possible hook up and the costs the residents would have to pay for individual pumping systems. Ms. Hamilton indicated former Mayor Thomas Gambino had held a meeting with the residents on Halsey Reed Road and had indicated to them that the costs could be very high to each homeowner. Ms. Hamilton asked if the Township could help pay for the fees. Mayor Beauregard indicated that would require a policy-decision discussion. Ms. Marcelli indicated that it could have been an oversight concerning noticing the residents concerning the possible water hook up. However, Monroe could not have noticed Cranbury residents concerning the sewer, as they are not in their district. Ms. Anna Ritter, 88 Halsey Reed Road, stated the residents on Halsey Reed Road seem to be "the forgotten residents of Cranbury and $\frac{3}{4}$ of the residents of Cranbury do not even realize they are part of Cranbury Township". Mayor Beauregard offered to attend the meeting when it is held. There being no further comments, the Mayor closed the public part of the meeting.

Work Session (Continued)

c. Main Street pedestrian Crossing-Evans and Main Street and Pedestrian Crossing on Old Trenton Road

Mr. Andrew Feranda, Shropshire Associates presented and discussed with the Township Committee his traffic reports on the Evans/Brainerd and Main Street sidewalk and cross walk issues, as well as the Old Trenton Road/Millstone Park pedestrian crossing issue. Mr. Feranda indicated the traffic subcommittee had met earlier in the evening to review and discuss his reports. Mr. Feranda reviewed the current cross walks, as well as pedestrian and vehicular movements. Studies had been conducted at the Main Street cross walk between the hours of 7:00 – 9:00 a.m. when school children were crossing and in the afternoon from 2:00 – 4:00 p.m. when school let out. Mr. Feranda made a recommendation to continue have a crossing guard present at all times during the school opening and closing hours. He also recommended to move the cross walk to the south side of the intersection and removing the existing cross walk across the north side of the intersection and re-striping the cross walk on the south side of the intersection. Pedestrians would then cross on the south side of the intersection and then cross the fire house driveway intersection, which would be a safer crossing. In addition, installing a sidewalk on the south side of Evans Drive, between Brainerd and Main Streets, was recommended. Mr. Feranda indicated a handicapped ramp should be installed on the southeast corner, as well as trimming or removing the trees within the right-of-way on the north side, between Brainerd and Main Street. The cost estimates Mr. Feranda obtained from Hatch Mott MacDonald were \$10,065.00. The Township Committee unanimously agreed with Mr. Feranda's recommendations and directed him to submit the plan to Middlesex County for approval. Once the County approves the plan, the project will go out for bid.

Work Session (Continued)

- c. Mr. Feranda reported on the pedestrian cross walk on Old Trenton Road at Millstone Park. Mr. Feranda has been requested by the Township Committee to

d. Main Street Pedestrian Crossing-Evans and Main Street and Pedestrian Crossing on Old Trenton Road (Continued)

perform an evaluation of the cross walk. Mr. Feranda made several recommendations as to signage at the crosswalks, advance signage and re-striping of the crosswalks. Mr. Feranda also recommended having no cross walk at the Washington Road and Old Trenton Road intersection and to place a "no pedestrian crossing" sign at the site, with arrows designating where the proper crosswalk is located. Mr. Feranda also reviewed other cross walks, namely, Bergen and Bodine Drive, Old Cranbury Road and Liedtke Drive. Mr. Feranda stated before improvements are done, he would prefer to incorporate all of the improvements together. He did indicate, however, the improvements that could

be done quickly and improve cross walk visibility would be to enhance the existing signs and to apply new striping that would be highly visible. Flashing signals could be added in the future to enhance the cross walks. The County would have to approve the signs and any signals would have to be approved by the State.

e. Request From Sprint For Construction Of A Cell Tower (Trishka Waterbury, Esquire and Ms. Stave).

Ms. Waterbury, Township Attorney indicated Sprint had approached the Township one year ago in reference to replacing the tower next to the fire station and putting up a new stronger tower which would be able to accommodate Sprint's antennas and other carriers' antennas as well. The Township had reviewed the best sites for a cell tower and had determined the fire house site would be the best. Ms. Waterbury had reported the subcommittee had met earlier in the day to review Sprint's needs and look over their proposal. Ms. Waterbury indicated there may be some constraints, i.e. concerning the possibility of a stream encroachment and the fact that the site is in a historic district and would require State Historic Preservation Office approval. Sprint would need to determine the feasibility to locate a cell tower on the site. Sprint had requested the Township Committee convey a commitment to them, before going to the expense of having a study done. The Township Committee members unanimously agreed to adopt, and Ms. Cunningham, Clerk read the following Resolution into the record:

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

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

Cranbury Township Resolution # R 07-05-147

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX
STATE OF NEW JERSEY

Cranbury Township Resolution 07-05-147
(Continued)

A RESOLUTION COMMITTING TO BID THE RIGHT TO ERECT A WIRELESS TELECOMMUNICATION FACILITY ON TOWNSHIP-OWNED PROPERTY LOCATED AT 2-4 SOUTH MAIN STREET AND DESIGNATED ON THE TAX MAP AS BLOCK 23, LOTS 72 AND 73, REFERRED TO HEREIN AS THE "FIRE STATION SITE".

WHEREAS, Sprint PCS, a provider of wireless telecommunications, is interested in leasing Township-owned property located at 2-4 South Main Street and designated as Block 23, Lots 72 and 73 on the Township tax map (the "fire station site" or "site"); and

WHEREAS, the Township's fire station is located on said property, with an existing lattice tower adjacent to it that is used by the Township's emergency services; and

WHEREAS, Sprint wishes to remove the existing tower and replace it with a taller, stronger structure designed to accommodate one or more carriers, plus the Township's antennas; and

WHEREAS, the Township anticipates that such a facility could help meet the needs of carriers who might have a coverage gap in the area; and

WHEREAS, the Township further anticipates that such a facility would encourage co-location, a sound planning goal; and

WHEREAS, the Township would also be compensated for leasing its property to one or more carriers; and

WHEREAS, the Township therefore believes that it would be in the public interest to examine the feasibility of constructing a wireless telecommunications facility on the above-referenced property and to auction the right to construct and sublet space on such a facility;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, in the County of Middlesex, State of New Jersey, that should it be feasible to locate a wireless telecommunications facility capable of accommodating one or more carriers, with attendant equipment, on the property located at 2-4 South Main Street and designated as Block 23, Lots 72 and 73 on the Township's tax map and referred to herein as the "fire station site", the Township will auction the right to construct and sublet space on said tower; and

BE IT FURTHER RESOLVED, that the terms and specifications of said auction and final authorization to conduct same shall abide further action by the Township Committee.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a resolution, which was adopted by the Township Committee on July 11, 2005.

Kathleen R. Cunningham, Clerk

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Mr. Richard Kallan, Wynnewood Drive, suggested the Township take the opportunity to get rid of the existing tower at the fire station and consider erecting a simulated pine tree cell tower, keeping it in good taste. Ms. Stave explained the Township was only at the beginning stages of a possible cell tower placement. Mayor Beauregard stated the Township will create and

Public Comment (Continued)

write the bid specifications for the proposed cell tower and will be as directive and specific as possible. Ms. Stave indicated the subcommittee had worked long and hard to consider all possible Township-owned spaces and this particular site, if feasible, would provide almost a perfect solution to have some control where it would be located and how many carriers would be allowed to co-locate. Ms. Stave also stated at the present time, there was not adequate coverage on the western side of the Township.

Mr. John Ritter, Plainsboro Road, asked about the C.O.A.H. requirements. In particular, Mr. Ritter asked if there would be a public meeting concerning how the Township was going to address the required second 80 affordable housing units required. Mayor Beauregard explained there was a lot more work to be done prior to the public meeting. There being no further comments, the Mayor closed the public part of the meeting.

Resolution

A motion to enter closed session was offered by Mr. Stannard, seconded by Panconi, and unanimously carried. The Mayor noted that this closed session, has been duly noticed to meet the requirements of the Open Public Meetings Act.

Ayes: (Beauregard
(Panconi
(Stannard
(Stave
(Stout

Absent: (None

Abstain: (None

Nays: (None

Cranbury Township Resolution # R 07-05-146

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

RESOLUTION TO CLOSE MEETING TO THE PUBLIC

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

The general nature of the subject to be discussed in this session is as follows:

1. --Review of Closed Session Minutes from June 27, 2005;
2. --Contract Negotiations; Contract Negotiations and Matters Requiring Confidential Advice of Counsel regarding Township's Third Round Affordable Housing Obligation.

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: July 11, 2005

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

On motion by Ms. Stave, seconded by Mr. Stannard and unanimously carried, the Closed Session Minutes of June 27, 2005 were adopted.

On motion by Ms. Stave, seconded by Mr. Stannard and unanimously carried, the meeting adjourned at 10:35 p.m.

Kathleen R. Cunningham, Clerk