

TOWNSHIP COMMITTEE MEETING  
March 1, 2004

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: Becky Beauregard, Michael Mayes, Thomas Panconi, Jr., Pari Stave and Mayor Stannard. Also present were: Trishka Waterbury, Esquire, Attorney, Frederick C. Carr, Administrator and Kathleen R. Cunningham, Clerk. Mayor Stannard 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 2, 2003 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 2, 2003.
- (3) Was filed on December 2, 2003 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.

Reports and Communications from Committee

Mr. Panconi reported that progress is being made with the police contract negotiations and the Township is close to having a counter offer, which Mr. Panconi will report on at the next meeting on March 15, 2004.

--Committee Minutes 23 February 2004

On motion by Ms. Stave, seconded by Mr. Mayes and unanimously approved, the minutes of February 23, 2004 were adopted.

--Sub Committee Reports

Agenda Additions/Changes

Cranbury Township Resolution # R 03-04-056, was added to the agenda and read aloud by Mayor Stannard:

Resolution

CRANBURY TOWNSHIP RESOLUTION # R 03-04-056

WHEREAS, Frank McDonald has served the Township of Cranbury for sixteen years, first as a founding member and Vice Chairman of the Historic Preservation Advisory Committee, and then as its Chairman, and

WHEREAS, Frank McDonald demonstrated superior leadership and foresight in his capacity as a member of the Historic Preservation Advisory Committee, helping to establish an ordinance designating the local Historic District and, more recently, on the establishment of Historic Preservation Guidelines; and

WHEREAS, Frank McDonald has given many hours of his time, expertise and devotion to historic preservation in the Township of Cranbury, and  
CRANBURY TOWNSHIP RESOLUTION # R 03-04-056  
(Continued)

WHEREAS, Frank McDonald has served the Township of Cranbury faithfully, not only as the Chairman of HPAC, but also as a friend and neighbor, and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that Frank McDonald be commended and thanked for his sixteen years of service and dedication to the Township of Cranbury, and

BE IT FURTHER RESOLVED, that Frank McDonald be given a certified copy of this Resolution.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, do hereby certify that this is a true copy of a Resolution which was adopted by the Township Committee on March 1, 2004.

\_\_\_\_\_  
Kathleen R. Cunningham, Clerk

Resolution  
Consent

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

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

Cranbury Township Resolution # R 03-04-053

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 # 03-04-054

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF K. HOVNANIAN TEMPORARY CO ESCROW

WHEREAS, K Hovnanian has deposited with Cranbury Township a \$21,000.00 escrow deposit.

WHEREAS, K Hovnanian has requested the release of said deposit.

WHEREAS, Hatch, Mott, MacDonald, Township Engineers, has authorized the release of the said deposit,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury authorizes the release of the above escrow deposit.

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:

Cranbury Township Resolution # R 03-04-054  
(Continued)

Township Attorney  
Township Chief Financial Officer  
K Hovnanian, 110 Fieldcrest Avenue CN 7825, Edison, NJ 08818-7825  
Township Engineer

CERTIFICATION

I do hereby certify that the foregoing is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on March 1, 2004.

\_\_\_\_\_  
Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 03-04-055

WHEREAS, there is a need for a procedure and protocol for emergency response actions and the recovery of costs incurred by the County of Middlesex and the Township of Cranbury in an emergency haz/mat response action, and

WHEREAS, the County Department of Health has notified municipalities that County services for the collection of local costs incurred from an emergency haz/mat response action are available free of charge, upon the execution of an interlocal service agreement between Middlesex County and Cranbury Township, and

WHEREAS, the emergency response organizations in Cranbury: the Cranbury Township Police Department, Cranbury First Aid Squad and Cranbury Fire Company have recommended that the Township enter into an interlocal agreement with Middlesex County for the collection of costs incurred from emergency haz/mat response actions.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the Interlocal agreement between Middlesex County and the Township of Cranbury for the County collection of Cranbury Township costs incurred from emergency haz/mat response actions

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute said Interlocal Agreement between Middlesex County and the Township.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, hereby certify that the above is a true copy of a Resolution adopted by the Township Committee of the Township of Cranbury at a regular meeting held on March 1, 2004.

\_\_\_\_\_  
Kathleen R. Cunningham, Clerk

Work Session

a. Police Station Update

Mark Berkowsky and Kurt Schmidt provided the Township Committee with the monthly status report on the proposed Cranbury Police Station. Mr. Berkowsky reported that the construction documents are now being completed and the sewer may be paid for by Home Depot, who is building a large warehouse very near the site. Mr. Berkowsky also reported that the figure still seems to be \$2.8 million. He raised his concern, however, with the price of steel rising. As a courtesy, Mr. Berkowsky and Mr. Schmidt will go back to the Planning Board to present the proposed changes to the building.

Work Session (Continued)

b. Town Hall Use Policy

The Township Committee reviewed the current Town Hall use policy. Current policy prohibits private gatherings, requires insurance coverage and proof of residency, along with prohibitions on smoking and alcohol. It was the consensus of the Township Committee that the rooms in Town Hall should remain available to groups and organizations only.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Mr. Joseph Stasi, Old Cranbury-Hightstown Road, requested the Township Committee prepare a letter of guarantee on his behalf concerning the Holland House so he may go forward and get the funding from his bank to start the project.

Mr. Brian Hamilton, Danser Drive, spoke concerning the low-interest loans through energy savings which are available through the State to the Township in reference to the new police station. Mr. Berkowsky of Berkowsky & Associates responded that the architect is putting together the application on the HVAC system of the new police station.

Mr. Wayne Wittman, South Main Street spoke concerning the recent article in The Cranbury Press concerning a developer, Joseph DeFour, proposing a development on the Fischer parcel. Mr. Wittman indicated that several residents were very upset, thinking that the Township was no longer going forward with its acquisition proceedings and urged the Township Committee in the future to let people know. The Township Attorney assured Mr. Wittman that everything is moving forward and she will be filing the necessary papers tomorrow. Mr. Stasi, Old Cranbury-Hightstown Road, thanked the Township Committee along with Mr. Wittman for proceeding with the acquisition of the Fischer parcel.

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

At this time, the Township Committee entertained a motion, by Ms. Stave, seconded by Mr. Mayes and unanimously approved, to go into Closed Session for the purpose of discussing the Holland House/Title issue:

Resolution

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

Ayes: (Beauregard  
(Mayes  
(Panconi  
(Stannard  
(Stave

Absent: (None

Abstain: (None

Nays: None

Cranbury Township Resolution # 03-04-052

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 Township Committee will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act, P.L. 1975, c.231.

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

----Land Acquisition—Update on Holland House

2. 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: March 1, 2004

On motion by Ms. Stave, seconded by Mr. Mayes and unanimously approved, the meeting returned to Open Session:

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

Nays: (None

The Township Committee made an offer to Mr. Stasi that he could back out of the Holland House project if he so desires, due to the unforeseen circumstances concerning the title. Mr. Stasi indicated that he still wishes to go forward with the project.

#### Mayor's Notes

The Township Attorney reviewed with the Township Committee a letter received from an attorney concerning an invitation to participate in a law suit with Mount Laurel Township v. MiPro Homes. The Township Attorney recommended not participating in this law suit, the Township Committee agreed and asked the Township Attorney to write a letter to the attorney declining the offer to join in the lawsuit.

#### Resolution

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

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

Nays: None

Township of Cranbury  
County of Middlesex

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

----Closed Session Committee Minutes of February 23, 2004.

Update of E. Barclay and	----Land	Acquisition/Negotiations: E. regarding the acquisition potential terms thereof.	Barclay and/or	Property— negotiations
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2. 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: March 1, 2004

On motion by Ms. Stave, seconded by Mr. Panconi and unanimously approved, the meeting returned to Open Session:

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

On motion by Ms. Beauregard, seconded by Mr. Mayes and unanimously approved, the Closed Session Minutes of February 23, 2004 were adopted.

On motion by Mr. Panconi, seconded by Mr. Mayes and unanimously approved, the meeting adjourned at 9:10 p.m.

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Kathleen R. Cunningham, Clerk