

TOWNSHIP COMMITTEE MEETING  
AUGUST 16, 2004

The regular meeting of the Township Committee of the Township of Cranbury was held at 6:00 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. and Mayor Stannard. Ms. Stave was absent. Also present were: Edmond Konin, Esquire, Attorney, Cathleen Marcelli, Engineer (arrived at 8:00 p.m.), 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 August 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 August 6, 2004
- (3) Was filed on August 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.

Resolution

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

Ayes: (Beauregard  
(Mayes  
(Panconi  
(Stannard

Absent: (Stave

Abstain: (None

Nays: None

Cranbury Township Resolution # R 08-04-150

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:

Cranbury Township Resolution # R 08-04-150  
(Continued)

----Personnel: Police Officer Candidates Interviews  
----Personnel: Zoning Board of Adjustment Interviews  
----Personnel: Discussion of 2004 Salary Ordinance  
----Closed Session Committee Minutes of July 26, 2004; Discussion of  
release of Closed Session Committee Minutes

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: August 16, 2004

On motion of Ms. Beauregard, seconded by Mr. Mayes and unanimously carried, the meeting returned to Open Session:

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

Nays: None

On motion by Mr. Panconi, seconded by Ms. Beauregard and unanimously carried, Lieutenant Colonel Matt McCarville was appointed to the Zoning Board of Adjustment.

Reports and Communications from Committee

--Committee Minutes 26 July 2004

On motion by Mr. Panconi, seconded by Mr. Mayes and unanimously carried, the minutes of July 26, 2004 were adopted, with Ms. Beauregard abstaining.

--Sub Committee Reports --

	Mayor Stannard reported progress is being made with the
Police	Contract Negotiations. There was a meeting last Friday, August
13 <sup>th</sup> and	another one scheduled for this Friday, August 20, 2004.

Agenda Additions/Changes

Ordinances First Reading

Cranbury Township Ordinance # 08-04-20

An Ordinance entitled, "Cranbury Township Ordinance 08-04-20, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, FORMALLY CREATING A PARKS COMMISSION AND AMENDING THE CODE OF THE TOWNSHIP OF CRANBURY, was introduced for first reading. On motion by Mr. Mayes, seconded by Ms. Beauregard, the Ordinance was passed on first reading by vote:

Cranbury Township Ordinance # 08-04-20

(Continued)

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

Nays: None

Public Hearing: August 30, 2004

Ordinance

First Reading

Cranbury Township Ordinance # 08-04-20

AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, FORMALLY CREATING A PARKS COMMISSION AND AMENDING THE CODE OF THE TOWNSHIP OF CRANBURY.

WHEREAS, there is presently existing in the Township an advisory parks commission that provides advice to the Township Committee concerning the planning, operating and managing of the Township's parks; and

WHEREAS, the Township seeks to formally create an advisory Parks Commission and set forth by ordinance its responsibilities, obligations and duties;

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

1. The "Code of the Township of Cranbury," is hereby amended by adding NEW Chapter 32, "Parks Commission," to read as follows:

**Chapter 32**

**PARKS COMMISSION**

**§ 32-1. Creation.**

In accordance with N.J.S.A. 40A:63-7d., there is hereby created a Parks Commission ("Commission").

**§ 32-2. Membership; terms; vacancies; alternates.**

A. The Commission shall consist of seven members except that all members of the Commission's predecessor advisory commission shall serve the remainder of their terms.

B. Beginning in the first January following the effective date of this ordinance and thereafter, members shall be appointed annually to serve without pay by the Mayor. Four members shall be appointed to serve for three-year terms, except that the terms of the four members first appointed shall be for one, two, three and four years, with annual appointments thereafter being for the three-year terms. The remaining members shall serve for one-year terms. At the first meeting of each year, the members shall elect a Commission Chairperson and two Co-Chairpersons. Vacancies shall be filled by appointment of the Mayor for the unexpired term or terms.

Cranbury Township Ordinance # 08-04-20  
(Continued)

- C. The Commission may also consist of up to two alternates who shall be appointed by the Mayor to serve without pay for one-year terms. Alternates may participate in all meetings but not vote except in the absence of a regular member.

**§ 32-3. Purpose; duties.**

The Commission's purpose shall be to assist the Township Committee in the design, development, planning, management and maintenance of the Township's parks, and in the creation and maintenance of a balanced park system. To achieve this purpose, the Commission shall have the following duties and responsibilities:

- A. Review, offer comment and make recommendations on all development of the Township's parks including but not limited to the design, location and placement of temporary and permanent structures, equipment, facilities, seating, playing fields, trees and other vegetation, pathways and roadways.
- B. Review all park-related initiatives related to and offer comment on the balance between age and interest groups, active and passive park activities, design and other park-related issues.
- C. Solicit volunteer help for Township-sponsored and supported park and open space programs both by active participation and by enlisting others to serve.
- D. Encourage and invite individuals and community groups to present ideas concerning the planning, management, operation and development of the Township's existing parks and facilities.
- E. In consultation with the Recreation Commission, Environmental Commission and Public Works Department, make recommendations for the development of existing and new parks and recreational facilities.
- F. Review and as necessary make recommendations for changes to the rules, regulations and ordinances concerning the Township's parks.
- G. Review, offer comment and make recommendations on that portion of the Public Works Department's annual proposed budget that is designated for development and maintenance of the Township's parks.
- H. Donations, memorials and bequests made for the benefit of and affecting the Township's parks shall be subject to the review, comment and recommendation of the Commission.

**§ 32-4. Procedure.**

**Prior to making any park-related proposal to the Township Committee, any individual or group shall first seek the review, comment and recommendation of the Commission. If the Commission fails to review and offer comment or recommendation within 90 days of receiving said proposal, the individual or group may make the proposal directly to the Township Committee.**

**§ 32-5. Authority.**

The Commission shall be an advisory Commission only. The Township Committee shall receive and consider recommendations of the Parks Commission but shall not be bound by any comments or recommendations.

2. This Ordinance shall take effect upon its passage and publication, as required by law.

Ordinance

First Reading

Cranbury Township Ordinance # 08-04-21

An Ordinance entitled, "Cranbury Township Ordinance # 08-04-21, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, CONCERNING PARK RULES AND AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF CRANBURY", was introduced for first reading. On motion by Mr. Mayes, seconded by Ms. Beauregard, the Ordinance was passed on first reading by vote:

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

Public Hearing: August 30, 2004

WHEREAS, members of the Parks Commission and Recreation Commission have provided recommendations for revisions to Chapter 108 of the Code of the Township of Cranbury ("Code"), entitled "Parks"; and

WHEREAS, the Township Committee has reviewed the recommendations of the Parks Commission and Recreation Commission and seeks to update and revise Chapter 108 of the Code consistent therewith;

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

1. Section 108-1 of Chapter 108 of the "Code of the Township of Cranbury" ("Code") is hereby amended to read as follows (deletions are in [brackets] and additions are underlined):

§ 108-1. Hours of operation.

Municipally owned parks [may be used by the public only during the hours posted at those locations and for permitted activities as hereinafter set forth] shall be open to the public every day of the year from dawn to dusk, except that the hours may be amended from time to time by the Township Committee for a specific activity, event or use.

2. Section 108-2 of Chapter 108 of Code shall be amended as follows (deletions are in [brackets] and additions are underlined):

Cranbury Township Ordinance 08-04-21  
(Continued)

**§ 108-2. Reservation of facilities; activities requiring a permit.**

A. Generally.[Only residents, committees and commissions of Cranbury may make reservations. All other individuals and groups may use facilities until those who have reservations arrive. The Cranbury Clerk and Police Departments have copies of the reservations schedule. No one group, family or organization may reserve any entire township park.]

1. Reservation of park facilities must be made in advance through the office of the Township Clerk.
2. All individuals and groups are permitted to use reserved facilities until those who have reservations arrive.
3. No one individual, group or organization may reserve any Township park in its entirety.
4. The offices of the Recreation Director and Township Clerk, and the Police Department shall maintain copies of the reservations schedule on file.

B. Village Park [pavilion].

1. Groups of [20]10 or more persons may reserve [1/2 of] the Village Park Pavilion.
- [2. Groups of 50 or more persons may reserve the entire Village Park pavilion.]
2. Only one baseball field may be reserved by any one group, except for Township-sponsored organizations.
3. No one group may reserve a softball field more than four times per week (Sunday through Saturday).

C. [Only one baseball diamond may be reserved by any one group.] Tennis courts are not available for reservation, except as provided below in section 108-3.

D. Groups of ten or more persons may reserve designated picnic facilities.

E. Individuals, organizations or groups must obtain permission in advance through the office of the Township Clerk to camp and/or build camp fires in designated areas.

[D. The tennis courts within the Village Park are not available for reservations except during tournament play and for lessons sponsored by the Cranbury Recreation Commission.]

[E. Reservations of park facilities must be made in advance through the office of the Township Clerk or the Deputy Township Clerk.]

Cranbury Township Ordinance # 08-04-21  
(Continued)

**§ 108-3. Tennis Courts.**

A. [At least one player on each tennis court must display a badge supplied by the Cranbury Township Clerk's office that identifies said player as

a Cranbury Township resident.] The use of the Township's tennis courts for any other activity other than the playing of tennis is prohibited. Prohibited activities shall be deemed to include, without limitation, rollerblading, rollerskating, riding bicycles, playing hockey and skateboarding.

- B. [After 6:00 p.m. on Monday, Tuesday, Wednesday, Thursday or Friday at least one player on each court must be 16 years of age or older.] Any person using the tennis courts shall wear tennis shoes or rubber-soled athletic shoes only. No other footwear shall be permitted.
- C. No more than one hour of playing time is permitted if there are other persons waiting to use the tennis court. [The use of the tennis courts for any activity other than the playing of tennis is prohibited.]
- D. Tennis courts are not available for reservation except during tournament play or lessons sponsored by the Cranbury Recreation Department or Cranbury School District. [Any person using the tennis courts must wear tennis shoes or equivalent-type athletic shoes.]
- [E. No more than one hour of playing time is permitted if there are other persons waiting to play tennis.]

3. Chapter 108 of the Code shall be amended by deleting in their entirety the contents of Section 108-4 and by inserting the following new text in their place:

**§ 108-4. Regulations.**

- A. As used in this section, the word "person" shall be deemed to mean any individual(s), group(s) or organization(s).
- B. The following activities and conduct shall be prohibited within any park belonging to or leased or operated by the Township:
  - 1. Unless otherwise permitted, no person shall cause or permit any animal owned by him, in his custody, or under his control, to go or be at large.
    - a. All persons bringing animals, including but not limited to dogs, to open space and recreation areas shall be responsible for immediate removal and disposal of all feces or droppings deposited by said animal.
    - b. All animals shall be restrained by a leash, except that horses shall be restrained by reigns.

Cranbury Township Ordinance # 08-04-21  
(Continued)

- c. No person shall ride a horse unless it is well broken and constantly held in such control that it may be easily or quickly turned and stopped.
    - d. No person shall permit a horse to be unbridled or left unattended in any unenclosed area without being securely fastened.

e. Horseback riding is prohibited on playing fields and playgrounds and in picnic areas.

2. No person shall hunt, molest, harm, frighten, kill, trap, pursue, chase, shoot or throw missiles at any animal, wildlife, reptile or bird; nor shall any person remove or have in his possession any animal, reptile or bird. No person shall engage in target practice of any kind, nor shall any person engage in any hunting of any kind using any weapon, including but not limited to rifle, shotgun, handgun and bow and arrow.

3. No person shall consume or possess any alcoholic beverage(s).

4. No person shall engage in loud, boisterous, threatening, abusive, insulting or indecent language, or engage in any disorderly conduct or behavior tending to cause a breach of the public peace. No person shall use amplified sound equipment, or make any other noise, that annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.

5. No person shall engage in any littering. Trash, refuse, recyclables and litter must be placed in containers provided for that use, except that groups of ten or more are responsible for removing from the park their own trash, refuse, recyclables and litter.

6. No person shall grill except in those areas specifically designated for grilling.

7. Grilling by groups of ten or more is prohibited except as authorized by permit as set forth in section 108-2 above.

8. No person shall engage in the business of peddler, solicitor or itinerant merchant, as those terms are defined in Chapter 113 of this Code, without first obtaining a license therefor in the manner described in Chapter 113.

9. No person shall chip, drive or hit a golf ball(s).

10. No person shall discard or cause to be discarded in the waters or streams any substance, matter or thing.

11. No person shall affix, glue, tack or otherwise post a sign, placard, advertisement or inscription.

12. No person shall throw stones or other missiles so as to annoy other persons.

13. No persons shall climb or stand upon a wall, fence, shelter, seat, statue, or other structure.

Cranbury Township Ordinance # 08-04-21  
(Continued)

14. No person shall have in his possession or bring into any park, or set or otherwise cause to explode or discharge or burn any firecrackers, torpedo rockets or other fireworks, firecrackers or explosives or inflammable material or discharge them or throw them into such area from lands or highways adjacent thereto. This prohibition includes any substance, compound, mixture or article that in conjunction with any other substance or compounds may decompose suddenly and generate sufficient heat, gas or pressure or any or all of them to produce rapid flaming, combustion, or administer a destructive blow to surrounding objects.



15. No person shall kindle, build, maintain or use a fire, except in those areas or places, if any, specifically designated provided for such purposes.

a. All fires shall be continuously under the care and direction of a competent person.

b. No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other flammable material within any park.

c. All fires shall be completely extinguished before persons responsible therefor leave the park area.

16. No person shall operate any motorized vehicle except on roadways or parking areas provided for such purpose, except that no person shall operate a mini-bike, moped or snowmobile, or an ATV (all terrain vehicle), anywhere within the boundaries of any park.

17. No person shall park or cause to be parked any motorized vehicle except in those areas specifically established for parking or specifically designated by signs for such purposes. No motorized vehicle shall be parked, whether or not the operator is in attendance, after the closing hours of any park.

18. No person shall injure any trees, shrubs, grass, or destroy, cut, break, deface, mutilate, disturb, sever or remove from the ground any plant, flower, growing thing, stem, branch or leaf thereof. In addition, no person shall pile debris of any kind against such vegetation, attach any rope or cable or other conveyance thereto, or set fire or assist in setting a fire to any of the same.

19. No person shall dig or remove any soil, rock, sand, clay or earth or make any excavation of any kind by any means or agency.

20. No person shall use metal detectors or similar devices.

21. No person shall enter any area designated as "Restricted."

22. No person shall engage in any camping unless authorized as set forth in section 108-2 above.

23. No person shall ride or walk a bicycle on any ball fields.

24. No person shall engage in skateboarding or in-line skating except in those areas specifically designated for such activities.

Cranbury Township Ordinance # 08-04-21  
(Continued)

C. Members of the Police Department and Public Works Department shall have the authority to eject from parks any person acting in violation of this chapter.

D. Any person who violates any park rule or regulation may be denied the future use of these facilities.

4. Section 108-7 of Chapter 108 of the Code is hereby amended to read as follows (deletions are in [brackets] and additions are underlined):

**§ 108-7. Violations; penalties; liability for property damage.**

- A. Any person, organization or group who violates or neglects to comply with any provision of this Chapter or any regulation promulgated hereunder shall, upon conviction thereof, be punished by a fine of at least \$50.00 but not to exceed the maximum permitted by section 1-14 of this Code and such other penalties as may be imposed under section 1-14. Each and every day that such a violation continues shall be considered a separate violation of this chapter.
- B. Parents and guardians shall be liable for any property damage that is caused by any minor in their charge. Groups and organizations reserving park facilities or other recreational facilities shall be liable for the fines of any of their members using the facilities and shall also be responsible for reimbursing the Township for any property damage caused by any of their members.

4. This Ordinance shall take effect upon its passage and publication, as required by law.

Ordinance

Second Reading

**Cranbury Township Ordinance # 07-04-14**

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 07-04-14, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY IN MIDDLESEX COUNTY, NEW JERSEY AUTHORIZING THE ACQUISITION OF A PERMANENT RIGHT-OF-WAY ACROSS A PORTION OF PROPERTY DESIGNATED AS BLOCK 7, LOT 1 ON THE CRANBURY TAX MAP TO FACILITATE THE COMPLETION OF THE HALF ACRE ROAD AND ROUTE 130 INTERSECTION IMPROVEMENTS", 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 Mr. Mayes, seconded by Ms. Beauregard, the Ordinance was adopted by a vote:

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

**Cranbury Township Ordinance # 07-04-14  
(Continued)**

Nays: None

Ordinances

Second Reading

**Cranbury Township Ordinance # 08-04-19**

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 08-04-19, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, MIDDLESEX COUNTY, STATE OF NEW JERSEY, AUTHORIZING A MUNICIPALLY EIGHT-YEAR APPROVED FARMLAND PRESERVATION PROGRAM FOR HENRY REALTY COMPANY, L.L.C., BLOCK 2, LOT 1, ON THE TOWNSHIP TAX MAP, 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. R. Jack Ziegler, Prospect Street, spoke in opposition of the Ordinance. No one else present wished to speak, so the hearing was declared closed. On motion by Mr. Mayes, seconded by Ms. Beauregard, the Ordinance was adopted by a vote:

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

Nays: None

Resolutions  
Consent

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

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

Nays: None

Cranbury Township Resolution # R 08-04-151

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 08-04-152

**CRANBURY TOWNSHIP RESOLUTION**

**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

Cranbury Township Resolution # R 08-04-152  
(Continued)

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 2004 in the sum of \$2,250.00 which item is now available as a revenue from Environmental Services Program Grant pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$2,250.00 be and the same is hereby appropriated under the caption Environmental Services Program Grant and

### Section 3

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

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

### CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, NJ, hereby certify that the above is a true of a Resolution adopted by the Township Committee of the Township of Cranbury at a regular meeting held on August 16, 2004.

\_\_\_\_\_  
Kathleen R Cunningham, Township Clerk

Cranbury Township Resolution # R 08-04-153

### TOWNSHIP OF CRANBURY COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH SUMANJEET AND NIRMAL SINGH TO ALLOW LIMITED ENCROACHMENT INTO A TOWNSHIP DRAINAGE EASEMENT LOCATED AT 17 BODINE DRIVE (BLOCK 18.07, LOT 10) IN THE TOWNSHIP OF CRANBURY

WHEREAS, the Singhs are the record owners of a 33,844.98 square-foot property located at 17 Bodine Drive in the Township of Cranbury and designated as Block 18.07, Lot 10 on the Cranbury Township tax map; and

WHEREAS, said property is burdened by a seventy-five-foot wide storm drainage and buffer easement for the benefit of the Township that runs the entire width of the property along the rear property line, as more particularly shown on a plan entitled "Survey of Property, Lot 10,

Cranbury Township Resolution # R 08-04-153  
(Continued)

Block 18.07, Township of Cranbury, Middlesex County, New Jersey," prepared by WJK Surveying Associates (Wayne J. Kulick, P.L.S., N.J.L. No. 21776) and dated 11-12-97; and

WHEREAS, the Township installed and currently maintains in the above-referenced storm drainage and buffer easement a thirty-inch diameter storm sewer pipe and storm inlet; and

WHEREAS, the Singhs have provided to the Township a topographical "as-built" survey entitled "Survey of Property at 17 Bodine Drive, Tax Lot 10, Block 18.07, Township of Cranbury, Middlesex County, N.J.," prepared by Behar Surveying Associates, P.C. (William B. Klapper, P.L.S., N.J.L. No. 33175), dated July 5, 2003 ( "Plan A"); and

WHEREAS, Plan A shows that an in-ground swimming pool on the property encroaches into the Township's drainage and buffer easement by nine feet; that pavers surrounding the pool encroach into the easement by fourteen feet; that a portion of the fence surrounding the pool encroaches into the easement by twenty-seven to thirty feet; that said fence entirely surrounds and prevents access to the storm sewer pipe and storm inlet located in the easement; and that a three-foot concrete retaining wall is located directly above the storm sewer pipe and immediately adjacent to the storm inlet; and

WHEREAS, said encroachments block access to the storm sewer pipe and the storm inlet; and

WHEREAS, the Singhs have proposed to relocate the east side of the fence to provide unrestricted access to the storm inlet and have proposed to install a ten-foot wide gate in said fence to provide access to the storm sewer pipe, as more specifically shown on a plot plan referred to as "Plan B"; and

WHEREAS, said measures in the opinion of the Township Engineer should adequately meet the needs of the Township for access to the existing drainage inlet and subsurface storm sewer pipe; and

WHEREAS, Township Committee deems it to be in the public interest to enter into an agreement with the Singhs memorializing the above arrangement and permitting the encroachment to remain, subject to conditions and limitations, unless and until the pool and related improvements are altered or reconstructed, in which case the agreement shall terminate;

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

1. The proposed agreement attached hereto as Exhibit "A" is hereby approved.
2. The Mayor and Clerk of the Township of Cranbury are hereby authorized and directed to execute said agreement on behalf of the Township.
3. The Mayor and Township staff are hereby further authorized and directed to prepare and execute any other documents and undertake any and all other acts as are reasonable necessary to effectuate the purposes hereof.

CERTIFICATION

I, Kathleen R. Cunningham, RMC, Clerk of the Township of Cranbury, do hereby certify that the foregoing resolution is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on August 16, 2004.

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

Cranbury Township Resolution # 08-04-154

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, that Dora D. McIlvaine be appointed to the position of Office Manager/Deputy Technical Assistant, at an hourly rate of \$20.50, effective August 2, 2004. This position is considered Temporary Help until the adoption of the 2004 Salary Ordinance.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution which was adopted at a regular meeting on August 16, 2004.

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

Cranbury Township Resolution # R 08-04-155

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, that Mary Debra Bodine-Kolo be appointed to the position of Technical Assistant/Alternate Registrar, at an hourly rate of \$19.50, effective August 9, 2004. This position is considered Temporary Help until the adoption of the 2004 Salary Ordinance.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution which was adopted at a regular meeting on August 16, 2004.

Kathleen R. Cunningham, Clerk

Work Session

a. Police Station Bid Opening Update

Mark Berkowsky and Kurt Schmit provided the Township Committee a status report on the soon to be built Cranbury Police Station, as the bids were opened and exceeded the budget. Mr. Berkowsky mentioned the price of steel has risen dramatically and he made a recommendation to use diesel vs. gas and changing the metal roof to an asphalt/shingle roof. Several residents turned out in support of the new police building being built. The Township Committee discussed various options and the timeline for the project.

A motion was made by Mr. Mayes, seconded by Ms. Beauregard and unanimously approved for the following Resolution:

Cranbury Township Resolution # R 08-04-156

Whereas, the Township of Cranbury received bids on July 26, 2004, for the new police station, and

Whereas, there were seven (7) bids received and all exceeded the amount appropriated for said project, and

Whereas, the Township Committee of the Township of Cranbury must cancel a Capital Ordinance in order to free up surplus funds, and

Whereas, the Township Committee of the Township of Cranbury must use available monies from a Capital Improvement Fund to cover the cost thereof,

Cranbury Township Resolution # R 08-04-156  
(Continued)

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the Township Committee intends to introduce 08-04-23, a Capital Ordinance of the Township of Cranbury, authorizing the construction of a police building by the Township of Cranbury, County of Middlesex, State of New Jersey, appropriating \$150,000.00 from Cranbury Township's Capital Surplus Capital Improvement Fund to cover the cost thereof, and

BE IT FURTHER RESOLVED that the Township of Cranbury intends to award the bid on August 30, 2004.

CERTIFICATION

I, Kathleen R. Cunningham, Township Clerk of the Township of Cranbury, hereby certify that this is a true copy of a Resolution which was adopted at a regular meeting on August 16, 2004

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 08-04-157

WHEREAS, it is recommended that the following balances in the Ordinances listed below be cancelled:

Capital Ordinance

Amount

10-03-13 Open Space Acq. \$ 60,645.11

09-01-21 Millstone Clean-up \$ 30,032.18

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury, that these balances be cancelled.

**CERTIFICATION**

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution, which was adopted by the Township Committee at a regular meeting held on August 16, 2004.

Kathleen R. Cunningham, Clerk

Ordinance  
First Reading

**Cranbury Township Ordinance # 08-04-023**

An Ordinance entitled, Cranbury Township Ordinance # 08-04-023, A CAPITAL ORDINANCE OF THE TOWNSHIP OF CRANBURY, AUTHORIZING THE CONSTRUCTION OF A POLICE BUILDING BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROPRIATING \$270,000 FROM CRANBURY TOWNSHIP'S CAPITAL SURPLUS AND CAPITAL IMPROVEMENT FUND TO COVER THE COST THEREOF", was introduced for first reading. On motion by Mr. Panconi, seconded by Mr. Mayes, the Ordinance was passed on first reading by vote:

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

**Cranbury Township Ordinance # 08-04-023**  
(Continued)

(Stannard

Nays: None

**CRANBURY TOWNSHIP ORDINANCE # 08-04-023**

A CAPITAL ORDINANCE OF THE TOWNSHIP OF CRANBURY, AUTHORIZING THE CONSTRUCTION OF A POLICE BUILDING BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROPRIATING \$270,000 FROM CRANBURY TOWNSHIP'S CAPITAL SURPLUS AND CAPITAL IMPROVEMENT FUND TO COVER THE COST THEREOF.

BE IT ORDAINED by the Township Committee of the Township of Cranbury as follows:

SECTION 1: There is hereby approved as a capital project within the Township of Cranbury, not to exceed the costs noted below:

<b>Project/Purpose</b>	<b>Cost</b>
Police Building	\$ 270,000

SECTION 2: There is hereby appropriated from Cranbury Township's Capital Surplus fund the sum of \$155,000 and \$115,000 from the Capital Improvement Fund to cover the cost of the capital projects as described in Section 1 hereof.

SECTION 3: The Capital Budget of the Township of Cranbury is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The Resolution in the form promulgated by the Local Finance Board, showing full detail of the amended Capital budget and Capital Program, as approved by the Director of Local Government Services is on file with the Clerk and is available there for public inspection.

SECTION 4: This Ordinance shall take effect upon final adoption and publication according to law.

Public Hearing: August 30, 2004

Work Session (Continued)

b. Scout Service Projects on Township Property

Mayor Stannard announced that this item will be discussed at the August 30, 2004 meeting, when Ms. Stave is present.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Ms. Beverly Gilbert, North Main Street spoke in reference to cars parking for extended periods of time in front of her home. Ms. Beth Veghte, Bunker Hill, volunteered that there seems to be a white commuter van, which picks up and delivers each day and recommended they use Village Park parking area to leave their cars. Ms. Judy Dossin, Wynnewood Drive, indicated there is also a problem on Westminster Place (along side of the First Constitution Bank). Mr. Carr, Township Administrator, will look into who is operating this van service.

Ms. Kathryn Frobeiter, Cranbury Neck Road, asked for assistance. She is having a difficult time reaching anyone at Elizabethtown Water Company in reference to her water line. She is at the end of the water line and constantly has a problem with discoloration. There being no further comments, the Mayor closed the public part of the meeting.

Mayor's Notes

a. Park Planning Recommendation on Veterans Memorial Park –The Mayor indicated he had received a letter, requesting that the name of Marion ("Duke") Earl be added to the memorial at the Veterans Memorial Park. The Township Committee unanimously agreed to add his name.

The Township Committee discussed the hiring of two new employees and passed the following Resolutions:

Cranbury Township Resolution # R 08-04-154

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, that Dora D. McIlvaine be appointed to the position of Office Manager/Deputy Technical Assistant, at an hourly rate of \$20.50, effective August 2, 2004. This position is considered Temporary Help until the adoption of the 2004 Salary Ordinance.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution which was adopted at a regular meeting on August 16, 2004.

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

Cranbury Township Resolution # R 08-04-155

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, that Mary Debra Bodine-Kolo be appointed to the position of Technical Assistant/Alternate



Registrar, at an hourly rate of \$19.50, effective August 9, 2004. This position is considered Temporary Help until the adoption of the 2004 Salary Ordinance.

Cranbury Township Resolution # R 08-04-155  
(Continued)

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution which was adopted at a regular meeting on August 16, 2004.

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

Resolution

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

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

Cranbury Township Resolution # R 08-04-150

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:

- Personnel: Police Officer Candidates Interviews
- Personnel: Zoning Board of Adjustment Interviews
- Personnel: Discussion of 2004 Salary Ordinance
- Closed Session Committee Minutes of July 26, 2004; Discussion of release of Closed Session Committee Minutes

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: August 16, 2004

On motion by Mr. Mayes, seconded by Mr. Panconi, the meeting returned to Open Session:

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

Nays: (None

On motion by Mr. Mayes, seconded by Ms. Beauregard and unanimously approved, the Closed Session Minutes of July 26, 2004 were adopted.

On motion by Ms. Beauregard, seconded by Mr. Panconi and unanimously adopted, the meeting adjourned at 9:55 p.m.

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Kathleen R. Cunningham, Clerk