

TOWNSHIP COMMITTEE MEETING
SEPTEMBER 13, 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, Cathleen Marcelli, Engineer, 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.

Mr. Dan Knox, State Agricultural Development Commission, presented a check to Cranbury Township, in the amount of \$ 2,104,865.28. Mr. Knox thanked Ms. Waterbury, Township Attorney and Mr. Carr, Township Administrator for all of their help and Mr. Knox indicated that Middlesex County has preserved a total of 3,700 acres, 32 farms and of that, in Cranbury Township 1,834 acres, 15 farms. With the addition of the Barclay Farm, over 2,000 acres in Cranbury Township have been preserved.

Oath of Office for new Patrolmen:

Mayor Stannard administered the Oath of Office to new police officers, Todd C. Galla and Robert M. Giaccone.

Reports and Communications from Committee

--Committee Minutes 30 Aug 2004

On motion by Mr. Stannard, seconded by Mr. Panconi and unanimously carried (with Ms. Stave and Mr. Mayes abstaining), the minutes of August 30, 2004 were adopted.

--Sub Committee Reports --

Ms. Stave reported that she and Mr. Mayes had met earlier this evening with the West Property Preserve SubCommittee to go over the final draft of the Ordinance. The Board of Ed is very pleased with the language in the Ordinance and they just want to work with Cathleen Marcelli, Township Engineer, to make sure that in the 25 acres that are left out of the Preserve, there are not wetlands delineated, should there ever be a future need to build on that. Providing there are no wetlands, Ms. Stave indicated that the Township could then begin a process of having a public hearing on the Ordinance.

Mr. Panconi reported that the Police Negotiations Committee met on Friday, September 10th and again this evening—progress is being made. Mr. Panconi indicated that they will meet again this Friday, September 17, 2004.

1. Agenda Additions/Changes

Mr. Panconi requested that a discussion of the Noise Ordinance be added to the Work Session—this will be Item c. Mr. Panconi also requested an Item be added for discussion in Closed Session, “Negotiations”—Police Contract Negotiations.

2. Ordinance

3. First Reading

Cranbury Township Ordinance # 09-04-24

An Ordinance entitled, “Cranbury Township Ordinance # 09-04-24, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING VARIOUS CHAPTERS OF THE CODE OF THE TOWNSHIP OF CRANBURY, was introduced for first reading. On motion by Ms. Stave, seconded by Mr. Mayes, the Ordinance was passed on first reading by vote:

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

Public Hearing: September 27, 2004

WHEREAS, the Township is revising and amending several chapters of the Code of the Township of Cranbury in order to update and upgrade the entire 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 needed revisions, groups of chapters will be amended in a series of Ordinances, followed by adoption of the entire re-codification in book format.

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 is hereby amended as follows:

Section 1. Chapter 11, entitled Court, Municipal, is hereby amended its entirety to read as follows:

Chapter 11

COURT, MUNICIPAL

§ 11-1 Establishment.

A Municipal Court for Cranbury Township was established as of January 1, 1949, pursuant to the provisions of N.J.S.A. 2B:12-1 et seq., as amended and supplemented

§ 11-2 Name.

The name of the Municipal Court is "Municipal Court of Cranbury Township."

Cranbury Township Ordinance # 09-04-24

(Continued)

§ 11-3 Seal.

The Municipal Court shall have a seal which shall bear the impress of the name of the Court.

§ 11-4 Municipal Court of the Township of Cranbury to be administered by the Municipal Court of the Township of Plainsboro.

A. All of the duties and responsibilities of the Municipal Court of the Township of Cranbury required by New Jersey law, shall be carried out and exercised by the Municipal Court of the Township of Plainsboro, pursuant to an agreement approved by the New Jersey Administrative Office of the Courts.

B. Summonses and other Municipal Court matters arising out of actions taking place in Cranbury Township shall be directed to and disposed of in the Municipal Court of the Township of Plainsboro.

C. Disposition of fines and other fees shall be in accordance with an agreement between the townships of Cranbury and Plainsboro, as approved, if required, by the New Jersey Administrative Office of the Courts.

Section 2. The following sections of Chapter 46, entitled Alarms, are hereby amended as follows:

a. Section 46-1 shall read:

§ 46-1 Purpose.

The purpose of this article is to govern burglary, robbery and fire alarm systems, require permits, established fees, provide for the revocation of permits, provide for the punishment of violations, establish a system of administration; and to prevent negligent use or abuse of the 911 emergency telephone system.

b. Section 46-4 is hereby amended by the addition of the following new paragraphs D and E:

D. Any business or other nonresidential facility that generates six or more 911 emergency calls to the Cranbury Township Police Department by reason of negligence or error during any 12 month period is in violation of this article and is subject to a fine of \$100.00 for each such call over six.

E. Any person who intentionally places a false 911 emergency call to the Cranbury Township Police Department shall be subject to a fine not to exceed \$1000.00 and imprisonment for a term of up to 90 days, or both, for each such offense. In the event New Jersey statutes provide for stricter penalties, those penalties shall supersede this provision.

Section 3. Chapter 73, entitled Plumbers, is hereby repealed in its entirety.

Section 4. Chapter 148, entitled Water Saving Fixtures, is hereby repealed in its entirety.

Section 5. Chapter 57, entitled to Bicycles, is hereby repealed in its entirety.

Cranbury Township Ordinance # 09-04-24
(Continued)

Section 6. Chapter 48, entitled Alcoholic Beverages, is hereby amended in its entirety to read as follows:

Chapter 48

ALCOHOLIC BEVERAGES

§ 48-1. Compliance with chapter and state law.

It shall be unlawful to possess, sell, distribute or transport alcoholic beverages within the township otherwise than as provided in this chapter, the provisions of Title 33 of the Revised Statutes of New Jersey, and the regulations promulgated by the Director of the Division of Alcoholic Beverage Control as amended and supplemented. The words and phrases used in this chapter shall have the same meanings as in N.J.S.A. 33:1-1 et seq., and the rules and regulations of the Director of the Division of Alcoholic Beverage Control.

§ 48-2. Licenses required.

No person shall sell, serve or distribute alcoholic beverages in the township without first obtaining a license under this chapter.

§ 48-3. Township Committee designated licensing authority.

The township committee shall constitute the authority for the administration of the issuance of licenses under this chapter.

§ 48-4. Maximum number of retail consumption and distribution licenses.

The number of plenary retail consumption licenses outstanding in the township at the same time shall not exceed two.

§ 48-5. License fees; licensing period.

The license fees for the period from July 1 of each year to June 30 of the year following, inclusive are hereby established and fixed as follows:

- Plenary retail consumption license..... \$2000.00

The license fees for plenary retail consumption licenses shall automatically increase each July 1 by twenty percent until the maximum license fee allowed by N.J.S.A. 33:1-12 is reached.

§ 48-6. Suspension and revocation of licenses.

Any license issued pursuant to this chapter may be suspended or revoked for violation of any of the provisions of this chapter or for violation of any of the provisions of title 33 of the Revised Statutes of New Jersey or any other applicable statute or of any of the rules and regulations promulgated or to be promulgated by the state commissioner of alcoholic beverage control.

§ 48-7. Sale, delivery, etc., to minors or intoxicated persons prohibited; permitting drinking by minors or intoxicated persons on licensed premises prohibited.

(Continued)

No licensee under this chapter shall sell, serve, deliver or allow, permit or suffer the service or delivery of any alcoholic beverages, directly or indirectly, to any person under the legal age to purchase or consume alcoholic beverages as defined by state law.

§ 48-8. Solicitation of sales prohibited.

No licensee under this chapter shall, directly or indirectly, solicit from house to house, personally or by telephone, the purchase of alcoholic beverages, or allow, permit or suffer such solicitation.

§ 48-9. Hours when sales permitted.

No plenary retail consumption licensee shall sell, serve or deliver or allow, permit or suffer the sale, service or delivery of any alcoholic beverage between the hours of 2:00 a.m. and 8:00 a.m. on weekdays or between the hours of 2:00 a.m. and 11:00 a.m. on Sundays, provided that on the first day of each calendar year, sales may be made between the hours of 2:00 a.m. and 5:00 a.m.

§ 48-10. Cleanliness and lighting of licensed premises.

Premises licensed under this chapter shall at all times be kept in a safe, clean and sanitary condition. All rooms, passageways, entrances, exits and stairways shall be well lighted.

§ 48-11. Display of "Fetal Alcohol Syndrome (FAS)" warning signs.

All licensees under this chapter who sell alcoholic beverages shall prominently post on their premises a warning of the dangers to the unborn children of women who consume alcoholic beverages while pregnant. The nature and type of warning signs shall be determined by the Cranbury Board of Health, which shall prepare and distribute the warning signs. Any licensee violating the provisions of this section shall be subject to a fine as provided for in § 1-15 of this Code.

Section 7. This ordinance shall take effect upon passage and publication, as required by law.

Ordinance
Second Reading

Cranbury Township Ordinance # 08-04-22

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 08-04-22, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY IN MIDDLESEX COUNTY, NEW JERSEY, AMENDING "AN ORDINANCE FIXING 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. Ms. Stave mentioned because the Township Committee has received a letter from a Township employee, who is unhappy with the fact that there are salary increases, there should be additional

Cranbury Township Ordinance # 08-04-22

(Continued)

time to let this employee, in Closed Session, air her concerns. Ms. Stave indicated that she felt it is important to follow a process. Ms. Stave also requested a report, showing those individuals who are to receive a merit increase and if so, the backup for such increases. Ms. Stave indicated that she would like

to see the Township follow the proper procedures, as outlined in the employee manual. Mr. Mayes asked the impact on the other staff if this Ordinance were not passed this evening. Mr. Carr responded this Ordinance reflects a 4% increase ("Cost of Living") with the exception of the three positions he had alluded to in his previous memo to the Township Committee. Mr. Mayes made a recommendation that this Ordinance be adopted this evening and the Resolution, setting the individual salaries not be adopted until the Township Committee has answers to their concerns. Ms. Beauregard asked what the increased responsibilities are for the H.P.A.C. Secretary. Mr. Carr indicated she now has additional work, due to the volume of her work increasing. Ms. Beauregard asked Mr. Carr if any of the employees have received a letter, indicating they were receiving these monies. Mr. Carr explained that once the Salary Ordinance and Resolution are adopted, the employee receives with his/her check a letter indicating his/her new rate of pay and outlining his/her responsibilities. Mr. Kallan, Wynnewood Drive, asked if the figure on page 2, for the Small Animal Control Officer in the amount of \$.83/hour was correct. Mr. Carr explained that this is an additional duty for one of the Public Works employees. No one present wished to speak, so the hearing was declared closed. On motion by Ms. Stave, seconded by Mr. Mayes, the Ordinance was adopted by a vote:

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

Resolutions
Consent

On motion offered by Ms. Stave, seconded by Mr. Mayes, 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 09-04-166

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 09-04-167

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, that the following individual be appointed as Cranbury Township Patrolman, effective September 10, 2004.

Cranbury Township Resolution # R 09-04-167
(Continued)

Todd C. Galla

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

- a) Township Police Chief
- b) Township Chief Financial Officer
- c) Township Administrator
- d) Todd C. Galla

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 September 13, 2004.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 09-04-168

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, that the following individual be appointed as Cranbury Township Patrolman, effective September 10, 2004.

Robert Michael Giaccone

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

- a) Township Police Chief
- b) Township Chief Financial Officer
- c) Township Administrator
- d) Robert Michael Giaccone

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 September 13, 2004.

Kathleen R. Cunningham, Clerk

Work Session

a. Boy Scout Eagle Project Bike Path at Village Park

A Proposal to design and build a Biking Path in Village Park had been presented at an earlier meeting by Keith Vincelette. The Township Committee had previously raised concern over some liability issues. Mayor Stannard indicated he is employed by one of the re- insurance companies and did not believe he is conflicted and asked that if anyone believes he is, they should speak up. Mr. Vincelette addressed the Township Committee as a Father and Scout Leader. Mr. Vincelette mentioned he has been in touch with the JIF office, who wrote the letter regarding insurance and that the letter will be re-written. Ms. Beth Veghte, Recreation Chairperson indicated that she had walked the path with Keith and the Recreation Board had endorsed this project a year ago. Ms. Judy Dossin, Parks Chairperson also mentioned that the Parks Board had endorsed the

Work Session (Continued)

a. Scout Eagle Project Bike Path at Village Park(cont'd)

project. Mr. David Stout, Environmental Commission member, indicated there seem to be no natural resources at the proposed site. He did mention, however, he is not sure if this area is a wet area and asked the Township Engineer to check. James Applegate, another member of the Environmental Commission had walked the area with Keith. Mr. Vincelette indicated the maintenance

of the path will be done by the Scouts. Mr. Mayes spoke in support of the project and asked Keith if there would be any signage at the site. Keith indicated that there will be safety signs placed at the site. Ms. Stave offered to work with Keith to follow this project through and bring it back to the Township Committee for final approval.

b. Scout Service Projects on Township Property

Township Committee reviewed draft guidelines for scout leadership and service projects undertaken on Township property. Ms. Stave gave an overview of the proposed rules and regulations prepared by the Township Attorney's office. Mr. Vincelette, Scout Leader, asked that a provision be included for minors and an endorsement by the organization they are associated with or a parent if it's family oriented. It was also suggested that this form be re-written so that it would work, either for an individual or organization. Ms. Beauregard recommended language be put in the document directing the person proposing a project speak to affected parties in the Township first to get feedback, acting as an informal review process before putting proposal together.

c. Noise Ordinance Discussion

Mr. Panconi had received a concern from a resident. Over the weekend construction was started at the Updike housing site, a little after 7:00 a.m. Mr. Panconi asked if the Ordinance could be changed so that construction on weekends would not start until 8:00 a.m. on Saturday and 9:00 a.m. on Sunday. Ms. Marcelli, Township Engineer will approach the contractor and ask him not to start until 8:00 on Saturday. She indicated that contractors do not usually work at all on Sundays.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Mr. Richard Kallan, Wynnewood Drive, raised the impact of signs on minors at the bike path and the Township's liability. The Township Attorney will look into this issue. Ms. Judy Dossin, Wynnewood Drive, spoke against the abundance of signage in the Village area. Ms. Beth Veghte, Bunker Hill, indicated that she had attended the Health Fair at Four Seasons, which was held this past Sunday. Ms. Veghte raised her concern for the seniors not having adequate transportation and a need for the Township to provide rides. Mention was made in the past transportation needs were addressed by the Township's Social Worker. The Township presently does not have a Social Worker, however the Township has been working with Plainsboro and has a proposal from Plainsboro which the Human Services Board is presently looking at. Ms. Veghte also raised her concern over the design of the Senior Housing on Park Place. The upstairs tenants whom are elderly are basically stuck there. Ms. Beauregard indicated that the apartments were not designed with provisions for very elderly individuals. If an individual is no longer mobile, they would have to move. Ms. Veghte also raised a concern with the present "call buttons", and the fact that they only announce to the courtyard, as opposed to 911 when someone needs help. Ms. Beauregard will check on this issue. Ms. Veghte asked if lights could be installed by the dumpsters. Ms. Beauregard indicated quite some time ago a decision was made having lights at the dumpsters would be detrimental. Ms. Veghte announced that a decision had been made by the Recreation Board to fund an additional exercise class for seniors. Mr. David Cook, North Main Street, asked if there are any new developments concerning the cell tower issue. Ms. Marcelli, Township Engineer, indicated that this issue will be heard by the

Public Comment (Continued)

Planning Board next month. Ms. Veghte spoke concerning the West property's 20+ acres which are going to be held for recreation, only to be used when something is built, either for the school or municipal building. Ms. Veghte indicated there is a real need for active recreation and requested if a portion could be so designated. Ms. Stave responded --the way that Green Acres is structured, once an area is used for recreation, that parcel would have to remain recreation and nothing could be built upon it. Ms. Stave also mentioned that a recreation master plan is being developed and will produce an ordinance for review that will open up spaces for active recreation that are not available to the Township now, such as Updike

and Hagerty. Ms. Stave mentioned that she had spoken with Mr. Caldwell and Tom Witt. Mr. Witt will replace the Todd Beamer Oak Tree in Heritage Park and maintain it. Ms. Stave also mentioned the cut-through to Village Park has been done. People need to be made aware of it. Trees have been planted in Heritage Park to screen the C.H.A. housing and the Township's obligation to the homeowners are now complete. Ms. Stave also requested that the Township Committee consider meeting twice a month, instead of three times a month. She suggested talking about this in the next few months and having the Township Attorney discuss this with the Committee in the next few months. Ms. Stave announced the Arts Council has a concert this Saturday night on the Long Property, from 4:00 p.m. until 9:00 p.m. Mr. Panconi asked for a status report on the Wright South Property. Ms. Marcelli, Township Engineer indicated that the water line is now complete and the bid will be awarded at the next meeting on September 20, 2004. There being no further comments, the Mayor closed the public part of the meeting.

Mayor's Notes

- a. Parking Space on N. Main Street
Mayor Stannard reported the Township is presently looking into a parking place on North Main Street, which is too close to a fire hydrant.
- b. Sidewalk Project
Mayor Stannard reported that the bid has been awarded and the projects in town have already been started on Maplewood Avenue.
- c. White Van
No one has been able to identify the "white van" that has been picking up and dropping off individuals, who are parking all day in the village area.

Ms. Marcelli raised an issue concerning a homeowner who has removed a sidewalk that was designated in poor condition. The concern is that it is a continuous sidewalk. The Township Committee expressed the desire to have continuous sidewalks for pedestrian safety in the Village area. Mr. Panconi indicated the homeowner had sent a letter to the Township earlier and never received a response. Mr. Carr will go visit the site tomorrow. Mr. Panconi requested, in the future, he be given a copy of any letters concerning sidewalks, as he is on the Sidewalk Subcommittee.

Resolution

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

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

Cranbury Township Resolution # R 09-04-165

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: 2004 Salary Ordinance
---Land Acquisition: D&R Greenway Update
---Closed Session Committee Minutes of August 30, 2004
---Contract Negotiations: Discussion of Police Contract Negotiations

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: September 13, 2004

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

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

Nays: (None

On motion by Mr. Panconi, seconded by Ms. Beauregard and unanimously carried, the Closed Session Minutes of August 30, 2004 were adopted, with Ms. Stave and Mr. Mayes abstaining.

The Township Committee requested Mr. Carr, Township Administrator, to furnish them with a report, showing employees who will be getting the 4% "Cost of Living" Increase, as well as those individual employees who will be given an additional amount and why.

The hiring of two new employees in the "Main Office" was discussed, their salaries and restructured job duties as well.

The issue of Employee Evaluation Forms were discussed and a process being put in place to review employees on a regular basis, as well as merit increases vs. "Cost of Living" Increases.

The Township Committee discussed the procedure to respond to a letter an employee had sent to the Township Committee.

On motion by Mr. Mayes, seconded by Mr. Panconi and unanimously approved, the meeting adjourned at 10:55 p.m.

Kathleen R. Cunningham, Clerk

