

TOWNSHIP COMMITTEE MEETING
SEPTEMBER 27, 2004

The regular meeting of the Township Committee of the Township of Cranbury was held at 8:00 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., Pari Stave and Mayor Stannard. Also present were: 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

--Committee Minutes 20 September 2004

On motion by Ms. Beauregard, seconded by Mr. Panconi and unanimously approved (with Ms. Stave abstaining), the minutes of September 20, 2004 were adopted.

--Sub Committee Reports --

Ms. Stave reported the SubCommittee on the Wright South Baseball field met with Bob Brown and the new recreation specialist, whom seemed very knowledgeable of the sport. Ms. Stave indicated the next step would be to meet with the Board of Education to make sure they are aware of the design as it stands in draft form and then bring it to the Township Committee in a public meeting, fairly soon. Ms. Stave suggested at the same time, getting an update from Ms. Marcelli, Township Engineer and members of the Environmental Commission on the remediation.

Mr. Panconi reported the Police Contract Negotiations SubCommittee met on September 24, 2004 and plan to meet again on Monday, October 4th and progress is being made.

Agenda Additions/Changes

Mayor Stannard indicated that the Township Committee would be breaking for a Closed Session item of business into the Gallery.

Resolution

On motion offered by Ms. Stave, seconded by Ms. Beauregard, the following Resolution was adopted by vote:

Ayes: (Beauregard
(Mayes

Absent: (None

(Panconi
(Stannard
(Stave

Abstain: (None

Nays: None

Cranbury Township Resolution # R 09-04-173

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: Employee letter

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 27, 2004

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

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

Absent: (None
Abstain: (None

Nays: (None

Agenda Additions/Changes (Continued)

Mr. Mayes requested under Work Session, two items be added: One, an item for discussion of forming a permanent Personnel SubCommittee, consisting of two Township Committee members and two, an item for discussion regarding the Board of Ed concerning trees and landscaping for the parking lot.

Ordinance
Second Reading

Cranbury Township Ordinance # 09-04-24

A motion to enter 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 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. 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 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 09-04-174

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 09-04-175

WHEREAS, the attached Developer's Agreement ("Agreement") between the Township of Cranbury and Rock-Station, LLC has been reviewed by the Township Attorney and the Township Engineer and has been found to be acceptable,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the Agreement be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk be and are hereby authorized to execute the Agreement on behalf of the Township of Cranbury.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, do hereby certify that the foregoing is a true and correct copy of a Resolution passed by the Township Committee of the Township of Cranbury at its meeting held on September 27, 2004.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 09-04-176

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

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

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

Section 1

NOW, THEREFORE, BE IT RESOLVED that the Township Committee hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2004 in the sum of \$144,358.44 which item is now available as a revenue from NJ DOT MUNICIPAL AID pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$144,358.44 be and the same is hereby appropriated under the caption NJ DOT MUNICIPAL AID.

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 September 27, 2004.

Kathleen R Cunningham, Township Clerk

Cranbury Township Resolution # R 09-04-177

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

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

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,
Cranbury Township Resolution # R 09-04-177

(Continued)

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 \$2,104,865.28 which item is now available as a revenue from Farmland Preservation Grant, pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$2,104,865.28 be and the same is hereby appropriated under the caption Farmland Preservation 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:

- (d) Director of the Division of Local Government Services
- (e) Township Auditor
- (f) 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 September 27, 2004.

Kathleen R Cunningham, Township Clerk

Cranbury Township Resolution # R 09-04-178

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, account and financial transactions, and

WHEREAS, The Annual Report of Audit for the year 2002 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, The Local Finance Board has promulgated a regulation requiring the governing body of each municipality shall be resolution certify to the Local Finance Board of State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments

Recommendations

And

WHEREAS, The members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

Cranbury Township Resolution # R 09-04-178

(Continued)

General Comments

Recommendations

As evidenced by the group affidavit form of the governing body, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, Failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52- “A local officer or member of a local Governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provision of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than One-Thousand Dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE BE IT RESOLVED, That the governing body of the Township of Cranbury, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey, dated July 30, 1968 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said compliance.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of the Resolution which was adopted at a regular meeting held on September 27, 2004.

Kathleen R. Cunningham, Clerk

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
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Nays: None

Work Session

a. Revised Historic Preservation Easement

Historic 23, Lot 12.01 (Barclay addendum is the Township of with the changes to	The Township Committee considered and discussed a revised Preservation Easement on the farmhouse located at Block South). Mr. Carr indicated that the main change in the easement that it will not be held by the S.A.D.C. It will be held by Cranbury. The Township Committee unanimously agreed the easement.
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b. Discussion of Permanent Personnel SubCommittee

Mr. Mayes made a motion, seconded by Ms. Stave, and unanimously approved, which Township the finalizing for Township which noted himself.

that the Township Committee form a standing Personnel SubCommittee, shall consist of two Township Committee members, appointed by the Committee, each year at its re-organization meeting and the duties of SubCommittee shall include, but not be limited to, reviewing and employee job descriptions and evaluation forms and establishing procedures reviews and annual employee feedback and also to be available to Employees as a resource for employee feedback, based on procedures shall be prescribed in the Township Employee Manual. Mr. Mayes also currently the Personnel SubCommittee consists of Ms. Beauregard and

c. Discussion of Grass and Trees for Parking Lot

The Township Committee discussed providing and paying for, approximately 14-15 trees for the parking lot. Mr. Mayes suggested that the Township direct the Public Works Director to work together with the Township Engineer and the Board of Ed to identify the trees to plant them. Mr. Mayes made a motion, seconded by Ms. Stave and the Committee, which was unanimously carried, that the Township Committee bear the cost of providing approximately 15 trees, with an estimated cost of \$5,000.00 to be planted in the school parking lot and direct the Public Works Director to meet with representatives of the Board of Ed and Parks along with the Township Engineer promptly to move the process along. Ms. Stave recommended in choosing the trees, consideration be taken not to purchase trees which will cause heaving.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Ms. Anna Drago, 9 Park Place East addressed the Committee concerning the issue of the sidewalks. She requested the sidewalk not be replaced on Wesley Place, to the west side of her house. The Township Committee discussed this request, along with the objectives of the sidewalk program ordinance. Ms. Stave made a motion, seconded by Mr. Mayes, and unanimously carried, that the Township of Cranbury not oblige the resident of 9 Park Place East, to construct a sidewalk on Wesley Place, to the west side of said property, and that until such time that the Township sees an opportunity to install a sidewalk on the entire length of the Street.

Ms. Joan Rue, President of the Cranbury Board of Education, spoke on behalf of the Board of Education in reference to an article, which appeared in The Cranbury Press, indicating the School would be needing additional fields from the Township. Ms. Rue indicated this article was incorrect. The School will not require any additional fields at this time from the Township and actually are in good shape.

Mr. Panconi mentioned Mr. Berkowsky's report in reference to the new police station. Mr. Berkowsky's report indicated the Holland House must be removed by October 1, 2004 and the Home Depot contractor must vacate the site by October 1st. Mr. Panconi indicated that neither of these two items are going to happen by October 1st. Mr. Carr responded the contractor is not going to start the work by October 1st and the Township Attorney's office is working on a joint lease agreement with Home Depot and there is a meeting scheduled for this Friday afternoon, October 1, 2004, the first pre-construction meeting to discuss construction, ground rules, etc.

Mr. Panconi reported a resident at 19 Cranbury Neck Road had contacted him this evening regarding Sharbell doing some planting. Her complaint is that the plantings are not going where they are supposed to be going and also mentioned an issue with a fence. Mr. Carr, Township Administrator,

requested Mr. Panconi forward to him the resident's e-mail so he can ascertain, along with the Township Engineer, what the resident's complaint is.

Mayor's Notes

Mayor Stannard reported Marilee Meacock resigned from the Arts Review Committee. The Arts Review Committee has sent a recommendation to appoint Ms. Judy Buckley to fill this vacancy. The Township Committee unanimously supported this recommendation and appointed Ms. Buckley to fill the vacancy.

The Library Board of Directors has requested a vacancy on the Board be filled by appointing Mr. Frank Brennan, Jr. Mayor Stannard, made the appointment of Mr. Brennan.

Resolution

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

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

Cranbury Township Resolution # R 09-04-173

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:

----Discussion of Closed Session Minutes of September 20, 2004

----Litigation: Update on Fischer Property

Cranbury Township Resolution # R 9-04-173
(Continued)

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 27, 2004

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

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

Nays: (None

On motion by Ms. Stave, seconded by Ms. Beauregard and unanimously carried, the Closed Session minutes of September 20, 2004 were adopted.

Ms. Beauregard raised a question concerning a Voucher for an Eagle Scout project for a shed which was built. Mr. Carr explained that the expenses were much more than anticipated, due to certain specs which were required. Ms. Beauregard asked who approved the voucher and also raised a question for a software expense for Recreation. Mr. Carr explained that this software was ordered to better track the summer camp, soccer and various programs.

Ms. Stave recommended a sign be placed out front on Election Day to direct residents to vote here at Town Hall. The Township Clerk will place signs in strategic places for voters.

Mr. Mayes mentioned the recent costs of legal bills and suggested that a process be instituted in the future with the Township Administrator. Mr. Mayes suggested individuals get a job number from Mr. Carr.

On motion by Ms. Stave, seconded by Mr. Mayes and unanimously carried, the meeting adjourned at 9:23 p.m.

Kathleen R. Cunningham, Clerk