

TOWNSHIP COMMITTEE MEETING
November 9, 2009

The regular meeting of the Township Committee of the Township of Cranbury was held at 7:00 p.m. in the Town Hall Meeting Room. Answering present to the roll call were: Township Committee members: Thomas F. Panconi, Jr., Richard Stannard, David J. Stout and Mayor Pari Stave. Mr. Cody was absent. Also present were: Trishka Waterbury, Esquire, Attorney; Cathleen Marcelli, Engineer; Christine Smeltzer, Administrator and Kathleen R. Cunningham, Clerk. Mayor Stave 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:

Ms. Cunningham, Clerk, stated the notice of the time change had been sent to the newspapers, posted on the Township's web site and posted on the Bulletin Board on November 2, 2009:

- (1) Posted on December 1, 2008 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 1, 2008.
- (3) Was filed on December 1, 2008 at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey, posted on the Township's web site and remains on file for public inspection, and
- (4) Sent to those individuals who have requested personal notice.

On motion by Mr. Stannard, seconded by Mr. Stout and unanimously carried, the meeting went into Closed Session:

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

Nays: (None

Cranbury Township Resolution # R 11-09-134

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

RESOLUTION TO CLOSE MEETING TO THE PUBLIC

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

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

---- "N.J.S.A 10:4-12b (7) and (8): Preliminary review and discussion of proposals received for positions of Township Attorney and Township Engineer".

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It is unknown at this time precisely when the matter 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: November 9, 2009

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

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

Nays: (None

Dr. Daniel Notterman, Chairman of the Township's Board of Health, gave a presentation on the H1N1 Virus and vaccination:

Dr. Notterman reported the Board of Health is not responsible for administering the vaccine; Middlesex County is. He reported this particular strain started with a pig in Mexico who developed four (4) different viruses and stated every 10-20 years there are major pandemics that break out. He reported the virus is spread by coughing and can stay in the air for a full 24 hours. He added an individual is actually contagious one (1) day before getting ill with the virus. Children can infect individuals within ten (10) days after being sick.

Dr. Notterman stated persons in their 60s most likely will not get the virus because this strain is very similar to a strain that hit in the 60s and they have most likely have built up immunity to the virus.

Dr. Notterman reported children with neuro-developmental problems are at high risk as well as children under five (5) years of age and the elderly population.

Dr. Notterman suggested the following preventive measures: washing hands and keeping family members who are ill isolated from others. He urged staying at home if a family member is ill as you can carry the germs. He stated the virus is unrelated to the swine flu vaccine of the 70s. He recommended if anyone thinks they have been exposed or are exhibiting symptoms of the flu, they should buy either Tamaflu or Relenza and this will shorten the duration by 30% (1-1.5 days).

Agenda Additions/Changes

Ms. Cunningham, Clerk, announced Cranbury Township Resolution # R 11-09-143 was being added to the Agenda which is cancelling balances. Also, for the Closed Session resolution, one (1) item is being added: "N.J.S.A.10:4-12b (5) (Land Acquisition): Discussion of possible land acquisition for affordable housing and other purposes". Ms. Waterbury, Esquire, also added an item to the Closed Session resolution: "N.J.S.A. 10:4-12b(7) /Pending or anticipated litigation, contract negotiations and matters falling within the attorney-client privilege: Review of proposed options for resolving outstanding items stemming from the acquisition of 'Wright South' and use of escrow monies for same".

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Ordinance
First Reading

Cranbury Township Ordinance 11-09-19

An Ordinance entitled, "Cranbury Township Ordinance 11-09-19, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TO ENTER INTO A LEASE AGREEMENT WITH THE CRANBURY HISTORICAL AND PRESERVATION SOCIETY FOR THE "PARSONAGE BARN" LOCATED ON BARN PARK (CRANBURY NECK ROAD/ BLOCK 21, LOT. 411)", was introduced for first reading. On motion by Mr. Stannard, seconded by Mr. Panconi, the Ordinance was passed on first reading by vote:

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

Nays: (None

Public Hearing: November 23, 2009

Resolution

On motion offered by Mr. Stannard, seconded by Mr. Stout, the following resolution was adopted by vote:

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

Nays: (None

Cranbury Township Resolution # R 11-09-135

A RESOLUTION OF THE TOWNSHIP OF CRANBURY
IN MIDDLESEX COUNTY, STATE OF NEW JERSEY

**A RESOLUTION AUTHORIZING THE EXECUTION OF A TEMPORARY RIGHT
OF ENTRY AGREEMENT FOR A PORTION OF BARN PARK WITH THE
CRANBURY HISTORICAL AND PRESERVATION SOCIETY**

WHEREAS, the Township is the record owner of .978± acre parcel located on Cranbury Neck Road and designated as Block 21, Lot 4.11 on the Cranbury Township Tax Map, commonly known as "Barn Park"; and

WHEREAS, Barn Park is unfunded parkland as said term is defined in the regulations promulgated by the New Jersey Department of Environmental Protection, Green Acres Program, N.J.A.C. 7:36-1 *et seq.* ("Green Acres regulations") and is, therefore, subject to the terms and restrictions of said regulations and the requirements of the State Historic Preservation Office; and

WHEREAS, there are two historic agricultural buildings presently existing on Barn Park referred to as the wagon house and the corncrib; and

WHEREAS, on August 19, 2005, the Township entered into a contract ("Contract") with the New Jersey Barn Company for the purchase of the Updike Parsonage Barn ("Barn" or "Parsonage Barn"), formerly known as the "Howarth" Barn, in order to preserve this pre-

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Cranbury Township Resolution # R 11-09-135
(Continued)

revolutionary, hand-hewn, white oak structure, which is believed to be one of the earliest barns constructed in the Township; and

WHEREAS, the Contract provided for the dismantling and storage of the Barn by the New Jersey Barn Company, and, at a later date, the repair and reconstruction of its frame; and

WHEREAS, the Township desires to have this important piece of its history re-erected in Barn Park and renovated for the use and enjoyment of the public with the assistance of the Cranbury Historical and Preservation Society ("CHPS"); and

WHEREAS, CHPS is committed to the furthering of interest and knowledge in the Township's history, the promotion, support and encouragement of the beautification of the land and buildings located in the Township, and the restoration and preservation of the Township's historic buildings and sites; and

WHEREAS, CHPS desires to assist the Township in the re-erection, repair and restoration of the Parsonage Barn ("Project") and to that end has offered to financially support the Project and undertake the supervision of the work necessary to complete the Project; and

WHEREAS, the Township has agreed to grant CHPS access to Barn Park for the purposes of completing the Project; and

WHEREAS, upon the completion of the Project and pursuant to the governing statutes and regulations, CHPS wishes to lease the Parsonage Barn from the Township and the Township wishes to lease the Parsonage Barn to CHPS for a public purpose, to wit: historic preservation, recreational and conservation purposes, and such other purposes as are consistent with CHPS' charter and the Green Acres regulations, including but not limited to an agricultural museum and/or a community activity center; and

WHEREAS, at this time, the Township does not have a municipal need for the Parsonage Barn; and

WHEREAS, the Township shall authorize the execution of a Lease Agreement by ordinance pursuant to N.J.S.A. 40A:12-14; and

WHEREAS, the parties agree that this Lease Agreement shall encompass the Parsonage Barn and its building footprint.

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

1. The preamble to this Resolution is hereby incorporated as if more fully set forth herein.
2. The Township Committee finds that it is in the public interest, and hereby authorizes the Township, to enter into a temporary right of entry agreement with CHPS that permits
3. CHPS to enter upon, over and under, and to have nonexclusive rights of entry onto Barn Park, so that CHPS may complete the Project in order for the public to use and enjoy the Parsonage Barn. This temporary right of entry agreement shall automatically expire two (2) years from the date the agreement is executed by the parties or upon the completion of the Project, whichever occurs sooner.

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4. The conveyance of the temporary right of entry set forth herein shall be expressly contingent upon CHPS' maintenance of adequate insurance coverage naming the Township as an additional insured and its agreement to indemnify, defend and hold the Township harmless.
5. The Mayor, Township Administrator, Township Clerk, Township Engineer, Township Attorney, and other appropriate officers, employees and professionals, are hereby authorized and directed to prepare and execute any and all documents regarding temporary right of entry and undertake any and all acts necessary to accomplish the purposes hereof.

Resolution

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

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

Nays: (None

Cranbury Township Resolution # R 11-09-136

A RESOLUTION OF THE TOWNSHIP OF CRANBURY
IN MIDDLESEX COUNTY, NEW JERSEY

**RESOLUTION AWARDING PROFESSIONAL SERVICES AGREEMENT TO PICKELL
ARCHITECTURE, LLC IN CONNECTION WITH THE PARSONAGE BARN RESTORATION**

WHEREAS, the Township of Cranbury ("Township") is the record owner of .978± acre parcel located on Cranbury Neck Road and designated as Block 21, Lot 4.11 on the Cranbury Township Tax Map, commonly known as "Barn Park"; and

WHEREAS, there are two historic agricultural buildings presently existing on Barn Park referred to as the wagon house and the corncrib; and

WHEREAS, on August 19, 2005, the Township entered into a contract ("Contract") with the New Jersey Barn Company for the purchase of the Updike Parsonage Barn ("the Parsonage Barn"), formerly known as the "Howarth" Barn, in order to preserve this pre-revolutionary, hand-hewn, white oak structure, which is believed to be one of the earliest barns constructed in the Township; and

WHEREAS, the Contract provided for the dismantling of the Parsonage Barn, its storage by the New Jersey Barn Company, and, at a later date, the repair and reconstruction of its frame; and

WHEREAS, the Township now desires to have this important piece of its history re-erected in Barn Park and renovated for the use and enjoyment of the public with the assistance of the Cranbury Historical and Preservation Society ("CHPS"); and

WHEREAS, on August 24, 2009, CHPS appeared before the Township Committee and proposed to undertake the restoration efforts of the Parsonage Barn, including the architectural design of the Barn; and

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(Continued)

WHEREAS, since that appearance, the Township and CHPS have worked together to reach an agreement ("Agreement") on the restoration and future use of the Barn, which Agreement differs from the August 24th proposal set forth by CHPS; and

WHEREAS, as part of the Agreement, the Township will appear before the Cranbury Township Planning Board for capital project review pursuant to N.J.S.A. 40:55D-31; and

WHEREAS, as part of capital project review, the Township requires professional architectural services in connection with the Project and the restoration of the Parsonage Barn in Barn Park; and

WHEREAS, the Township seeks to procure the professional services of Christopher Pickell of Pickell Architecture, LLC, a limited liability company of the State of New Jersey with offices at 115 Main Street, Flemington, New Jersey 08822 ("Contractor"); and

WHEREAS, this contract award is exempt from public bidding pursuant to N.J.S.A. 40A:11-3a. and 40A:11-5(1)(a)(i) because this contract amount does not exceed the bid threshold and contracts for professional services may be negotiated and awarded without public bidding; and

WHEREAS, the Township has a need to acquire the foregoing services without a "fair and open process" as defined by P.L. 2004, c. 19, the "Local Unit Pay-to-Play Law"; and

WHEREAS, the Contractor will complete and file with the Township Campaign Contributions Affidavits as required by N.J.S.A. 19:44A-20.2 *et seq.* certifying that he has not made any prohibited contributions to a candidate committee or municipal committee representing the elected officials of the Township of Cranbury, along with Certifications Regarding Political Contributions as required by N.J.S.A. 19:44A-20.26; and

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for these purposes.

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

1. The preamble to this Resolution is hereby incorporated as if more fully set forth herein.
2. The Mayor and Clerk are hereby authorized and directed to execute a professional services agreement with Christopher Pickell of Pickell Architecture, LLC for the provision of architectural services to the Township
3. for the restoration of the Parsonage Barn in Barn Park, the form and substance of which shall have previously been approved by the Township Attorney.
4. The agreement shall terminate one (1) year from the date of its execution.

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5. Pickell shall be paid for his services on an hourly basis, at the rates set forth in the agreement, the value of which shall not exceed \$5,600.00.
6. The Township Administrator, Clerk, Attorney and other appropriate staff and officials are hereby authorized and directed to undertake any and all other acts as may be proper and necessary to effectuate the terms of this resolution.

Resolution

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

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

Nays: (None

Cranbury Township Resolution # R 11-09-137

**RESOLUTION APPROVING THE OFFICIAL DRUG-FREE ZONES MAP
FOR THE TOWNSHIP OF CRANBURY, STATE OF NEW JERSEY.**

WHEREAS, N.J.S.A. 2C:35-7 establishes the distribution of, or possession with intent to distribute a, controlled dangerous substance while on any school property or within 1,000 feet of such property as a crime of the third degree; and

WHEREAS, N.J.S.A. 2C:35-7.1 makes the distribution of, or possession with intent to distribute a, controlled dangerous substance on or within 500 feet of real property utilized as a public housing facility, a public park, or a public building a second degree crime; and

WHEREAS, the areas established by both of these statutes have become commonly known as drug-free zones; and

WHEREAS, both statutes authorize municipalities to prepare a map denoting the location and boundaries of the drug-free zones within the municipality; and

WHEREAS, the Cranbury Township Engineer has prepared such a map, entitled "Drug Free Zones Map," and dated September 2009, a copy of which is attached to this resolution as Exhibit A, that displays the location and boundaries of the drug-free zones in Cranbury Township;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey, that the Township accepts the drug-free zones map prepared by the Cranbury Township Engineer, entitled "Drug Free Zones Map," and dated September 2009, as the official finding and record of the location and boundaries of the drug-free zones within Cranbury Township; and

FURTHER, BE IT RESOLVED, that a true copy of the drug-free zones map will be filed with the Township Clerk and maintained as an official record of Cranbury Township, and that true

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copies of the drug-free zones map will be forwarded to the Township Police Department and the Middlesex County Prosecutor's Office.

Resolution
Consent

The Township Committee members will consider Resolution # R 11-09-139 separately:

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

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

Nays: (None

Cranbury Township Resolution # R 11-09-138

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 11-09-140

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 2009 in the sum of \$75.00 which item is now available as a revenue from U.S. Department of Agriculture pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$75.00 is hereby appropriated under the caption Natural Resource Conservation Service.

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Cranbury Township Resolution # R 11-09-140
(Continued)

Section 3

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

- (a) Director of the Division of Local Government Services
- (b) Township Auditor
- (c) Director of Finance

Cranbury Township Resolution # R 11-09-141

RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT WITH
ADJ LAND DEVELOPERS, LLC, FOR THE PROPOSED DEVELOPMENT LOCATED AT
BLOCK 5, LOT 14 IN THE TOWNSHIP OF CRANBURY, STATE OF NEW JERSEY.

BE IT RESOLVED, by the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey, that the Township is authorized to enter into a developer's agreement with ADJ Land Developers, LLC, regarding its proposed development located at Block 5, Lot 14 (Cranbury Township Tax Map) in the Township of Cranbury, County of Middlesex, State of New Jersey; and

FURTHER, BE IT RESOLVED, that the Mayor and Clerk are authorized and directed to execute the developer's agreement once all conditions precedent to execution are satisfied.

Cranbury Township Resolution # R 11-09-142

**RESOLUTION OF THE TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY**

A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT FOR
COUNSELING SERVICES TO THE CHILDREN'S HOME SOCIETY OF NEW JERSEY

WHEREAS, there exists a need for counseling services under the Municipal Alliance in the Township of Cranbury (the "Township") in the County of Middlesex, State of New Jersey; and

WHEREAS, The Children's Home Society of New Jersey has submitted a proposal to perform said services; and

WHEREAS, the Chief Financial Officer has certified funds are available; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised.

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

1. The Children's Home Society of New Jersey is hereby retained to provide counseling services to the Township for the period commencing October 6, 2009 through June 4, 2010.

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Cranbury Township Resolution # R 11-09-142
(Continued)

2. The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with The Children's Home Society of New Jersey subject to approval of the Township Committee.
3. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), because it is for services performed by persons authorized by law to practice a recognized profession.
4. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Township.
5. A notice of this action shall be published in the official newspaper with ten (10) days of said contract as required by law.

CRANBURY TOWNSHIP RESOLUTION 11-09-143

WHEREAS, it is recommended that the following balances in the Ordinances listed below be cancelled since it was funded by a NJDOT Grant and set up in the Grant Fund :

	<u>Capital Ordinance</u>	<u>Amount</u>
03-08-08	Wynnewood & Woodview Road Improvement	\$100,000.00

NOW THEREFORE BE IT RESOLVED that this balance be cancelled to Capital Interfund Due To/From State of NJ.

Resolution

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

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

Nays: (None

Cranbury Township Resolution # R 11-09-139

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING YEAR 2009 BUDGET TRANSFERS.

WHEREAS, there are 2009 Budget Accounts which require more funding due to circumstances not known at the beginning of the year; and

WHEREAS, there will be excess balances in budget accounts in which the expenditures will be less than projected at the beginning of the year;
And

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Cranbury Township Resolution # R 11-09-139
(Continued)

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury, that the following year 2009 Budget Transfers be authorized and made on the records and accounts of the Township:

	<u>Budget Account</u>	<u>From</u>	<u>To</u>
9-01-21-180-311	Planning – Planner	\$10,000.00	
9-01-21-181-310	Master Plan – Planner	\$20,000.00	
9-01-20-130-025	Finance – Misc O&E	\$5,100.00	
9-01-31-455-100	Sewer – So Bruns Pymts	\$16,500.00	
9-01-27-340-012	Animal Control – OT	\$6,800.00	
9-01-28-375-440	Parks – Horticultural Materials	\$4,000.00	
9-01-28-375-500	Parks – Equip Non Capital	\$5,000.00	
9-01-28-375-450	Parks – Maint Serv & Mat	\$4,000.00	
9-01-26-295-320	Shade Tree – Other Contr Services		\$16,000.00
9-01-20-135-310	Audit – Prof Contracts		\$600.00
9-01-27-330-011	Board of Health - S&W		\$500.00
9-01-20-155-360	Legal - Sewer Study		\$10,000.00
9-01-20-165-500	Engineering - Sewer Study		\$5,000.00
9-01-27-335-025	Board of Health - Misc O&E		\$1,300.00
9-01-20-155-025	Legal - Misc O&E		\$33,000.00
9-01-20-100-025	A&E - Misc O&E		\$3,000.00
9-01-22-205-011	HPC - S&W		\$500.00
9-01-27-360-011	Human Services – S&W		\$500.00
9-01-28-370-011	Recreation – S&W		\$500.00
9-01-27-335-025	Environment Comm – Misc O&E		\$500.00
9-01-25-240-500	Police – Equip Non Cap	\$12,000.00	
9-01-26-315-201	Vehicle Maintenance – Police		\$12,000.00
9-01-27-340-320	Animal Control – Other Contr Services	\$4,000.00	
9-01-31-445-310	Water – Public Buildings		\$4,000.00
9-01-26-290-450	Roads – Maint Serv & Mat	\$5,000.00	
9-01-26-315-301	Vehicles – PW Parts & Repairs		\$5,000.00

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

- (a) Township Auditor
- (b) Township Chief Financial Officer
- (c) Township Administrator

Reports and Communications

--Mayor

The Mayor had no reports.

--Members of Committee

Mr. Panconi reported he had his monthly meeting with the Cranbury Fire Company and during October they had answered a total of 23 calls. Seven (7) of the calls were false alarms. Mr. Panconi also reported the new siren will be operational in December. He stated the Fire Company is having a problem with members being able to make fire calls during the day and they will be discussing their options with the Township Committee during the budget process.

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Reports and Communications (Continued)

---Members of Committee (cont'd)

Mr. Stannard reported Mr. Cody had attended both the Development Review Committee ("D.R.C.") meeting and the Zoning Board of Adjustment meeting as part of their evaluations of various committees to make the process more "small business friendly". The D.R.C. had approved a small photography studio application. The members approved the use with no extra funds having to be spent by the applicant nor any professional fees.

Mr. Dietrich Wahlers, Chairperson of the Turnpike Tree Subcommittee, explained this project is about damage that may be done by the Turnpike Widening Project and which may affect water quality, underbrush and growth. He stated this is not necessarily a plus for a municipality. The subcommittee held its first meeting on Wednesday, November 4, 2009 in the Gourgaud Gallery at Town Hall. The subcommittee produced a list of locations for various plantings of trees and Mr. Wahlers asked the Township Committee to review it and get back to him. He also inquired about putting trees along Liberty Way. Both Ms. Smeltzer, Township Administrator and Ms. Marcelli, Engineer, indicated there are certain areas along the warehouses that are in the public right-of-way. Mr. Wahlers also reported the subcommittee will be meeting the next two (2) Thursdays and make its recommendations. He reported the trees are 2 ½" x 3 ½" wide and 10' tall. The seedlings that are planted will go on wetlands on both the Frosztega and Barclay properties. Mr. Wahlers stated the subcommittee has asked if the Township can use under bushes instead of trees and if the Township can store or inventory the trees. In addition, he has a call into D.O.T. to request to put some trees on the median of Route 130 in the Township.

Reports from Township Staff and Professionals

Police Chief Edward Kahler gave his monthly report for the month of October, 2009. Chief Kahler reported a total of 124 summonses had been issued. 11 --speeding and 10 for cell phone violations. Expenditures (highest to lowest) were: shift coverage, school/training and shift extensions. He stated there had been a sudden jump in flu-like illnesses within the Department which accounted for a large portion of the overtime expenditures. The Traffic Bureau reported there were 33 crashes in October, the Detective Bureau reported 10 new investigations and 8 closed investigations. The CERT team assisted with traffic control and public safety on Halloween. Chief Kahler stated the efforts of the CERT members are greatly appreciated. He reported the bicycle patrols were out four (4) times during the month and vehicle mileage was 10, 229 miles. Eight (8) arrests had been made; D.W.I. – 2, Burglary – 1, Theft-0, Warrants-4, Controlled Dangerous Substances-0 and Miscellaneous-1. Chief Kahler also announced "Operation Medicine Cabinet" will take place on Saturday, November 14, 2009 from 10:00 a.m. – 2:00 p.m. Residents may drop off their unused prescription medications, no questions asked, at Police Headquarters. The medications will be turned over to the Drug Enforcement Administration for destruction. He stated "Operation Medicine Cabinet" is in response to the growing number of teens and young adults rummaging through medicine cabinets for unused medications. Chief Kahler reported the Ford Escape Hybrid arrived and he will have a detailed performance report in two (2) months. The Boy Scout shelter project is complete and Chief Kahler commended Matt Mikula for an excellent job relocating items in the storage room, painting the walls, painting the floor and refurbishing the existing shelving. Matt and his team also provided cots, blankets and medical kits. He reported the Department had received thank you notes from Boy Scout Greg Carroll for participating in the Helene Cody 5K run. Greg presented the Police Department with a check which was returned back to the Helene Cody Foundation, and the Cranbury Arts Council sent a thank you note for help with the Cranstock event. In particular were Sgt. Frank Dillane, Officer Mike Cipriano and Captain Rickey Varga. Ms. Julia Johnson, who experienced car trouble in September called headquarters to offer her thanks to Officer Paul Lindenfeld for his assistance. Chief Kahler also reported the Department should be receiving the fingerprint machine shortly (funded by a grant from Homeland Security).

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Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Mr. Bob Dillon, 32 Hightstown-Cranbury Road, asked the Township Committee the age of the old police cars and mileage. He reported he works on the New Jersey State Police vehicles and having regular maintenance performed is a big factor in being able to keep vehicles longer. Mr. Dillon urged the Township not to purchase several cars each year.

Mr. Dillon also spoke of his concern about an area in close proximity to his home where the Turnpike will be removing trees. The Turnpike is not replacing the trees and he requested that the trees be replaced as they are of value both for visual advantages as well as to deter sound. Mr. Wahlers suggested Mr. Dillon get in touch with the Department of Environmental Protection to convey his concerns to them.

Mr. Dillon also spoke against the Development Review Committee having the authority to approve certain applications and not having to notice those within 200 feet of the subject property.

Mr. Dan Mulligan, Old Cranbury Road, asked if the Township can give the residents any additional information on COAH. Mr. Stout responded the Township is hoping to see "a sea of change" with the new Governor's Administration and that the new Governor follows through with his campaign promises. Mr. Panconi added nothing has changed concerning the Route 130-D site being utilized for affordable housing.

Mr. Stannard reported The Cranbury School has been designated again as a "Blue Ribbon School" and this honor is only bestowed on approximately 300 schools in the United States.

Mr. Dietrich Wahlers, 33 Hagerty Lane, asked if he can be provided a report tracking the Township's \$1.5 million which is in surplus and showing if any of the monies taken out are being replenished. Ms. Smeltzer will ask Ms. Marabello to furnish Mr. Wahlers with the report.

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

Resolution

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

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

Nays: (None

Cranbury Township Resolution # R 11-09-134

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

RESOLUTION TO CLOSE MEETING TO THE PUBLIC

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

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

---- "N.J.S.A.10:4-12b (5) (Land Acquisition): Discussion of possible land

TOWNSHIP COMMITTEE MEETING
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(Continued)

acquisition for affordable housing and other purposes”.

---- “ N.J.S.A. 10:4-12b(7)/Pending or anticipated litigation, contract negotiations and matters falling within the attorney-client privilege: Review of proposed options for resolving outstanding items stemming from the acquisition of ‘Wright South’ and use of escrow monies for same”.

It is unknown at this time precisely when the matter 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: November 9, 2009

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

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

Nays: (None

On motion by Mr. Stannard, seconded by Mr. Stout and unanimously carried, the meeting adjourned at 9:46 p.m.

Kathleen R. Cunningham, Clerk