

SPECIAL TOWNSHIP COMMITTEE MEETING
September 11, 2008

A Special 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, Pari Stave, Wayne Wittman and Mayor David J. Stout. Also present were: Kevin Van Hise, Esquire, Attorney, Cathleen Marcelli, Engineer, Richard Preiss, Township Planner, Mary Beth Lonergan, Christine Smeltzer, Administrator and Kathleen R. Cunningham, Clerk. Mayor Stout led in the salute to the flag. He then requested a moment of silence for the seven-year anniversary of "the rather horrific and infamous day in our history"—911.

Following a moment of silence, 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 September 4, 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 September 4, 2008.
- (3) Was filed on September 4, 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.

Mayor Stout advised that he called Marvin Preston, Executive Director of the Princeton Ballet Studio, and left a message urging him to call so a dialogue could be established to keep the Township informed as to what is happening on the property. The landowner is required, in accordance with DEP laws, to keep the Municipality apprised. A letter has been received indicating the DEP has assigned a case number.

Mayor Stout advised that on Monday, September 8, 2008, an Ordinance was passed limiting the use of the remainder of the West Property to active and passive recreation and conservation purposes only. One of the recommendations of the Board of Education was to consider carving out a piece of the property North of the access road for use by the School. Mayor Stout met with Ms. Marcelli and Ms. Smeltzer to review the surveys so a portion of the property could be donated to the School and the Ordinance could be amended as discussed. The portions of the property will be known as Tracts A1 and A2 on the Deed. It is important to note, in 1996 when the Township established the West Property, it donated 3.72 acres to the school. The land that was donated included acreage just to the East of the two soccer fields and the asphalt playground.

The Mayor opened the meeting to public questions and comments.

Susan LeDonne, 5 Stites Drive, questioned why we are spending another \$30,000.00 on the ball field that is not required. Mayor Stout advised that this will be discussed when the Resolution is up for adoption later in the meeting. Ms. LeDonne also asked what the actual number of housing units is that are required to be built under COAH. Mayor Stout advised that the number posted on the COAH webpage is 269.

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Public Comment (Continued)

Dan Mulligan, 32 Old Cranbury Road, also asked why the Township is spending additional monies on the ball field. Mr. Mulligan also questioned if any additional funding would be required on Phase II of the ball field.

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

Mayor Stout explained that the baseball field has been built in accordance with Babe Ruth specifications; however, the Recreation Commission has come to the conclusion that the fencing is unsafe. While it is within specifications, the outfield fence joins at the foul pole so there is no room in foul territory for someone to move from fair territory to foul territory, so the fencing is out of line from a safety standpoint.

Mr. Stannard advised that he reviewed the plans for Concept Plan I and Concept Plan II, with Plan II being \$10,000.00 less, and questioned why Plan II could not be used rather than Plan I. Ms. Marcelli explained the difference between the plans. After much discussion, it was decided that the Resolution would be amended to change the contract amount from \$29,970.00 to \$19,270.00 and would include Concept Plan II rather than Concept Plan I.

Ms. Stave explained that Phase II will consist of dugouts and bleachers, all of which are very minimal in design. The dugouts are made of wood and meant to look like corncribs and the bleachers are accordion style. The reason these improvements are in Phase II is so the Township can request the monies from the County so it will not come out of the Township's Capital Budget.

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

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

Nays: (None

Mr. Wittman wanted it noted that he is voting on this because it was pointed out that it is a safety issue and he did not support the original funding of the ball field.

Cranbury Township Resolution # R 09-08-164

A RESOLUTION APPROVING CHANGE ORDER NO. 1 TO TOWNSHIP'S CONTRACT WITH
PRECISE CONSTRUCTION, INC.

WHEREAS, a construction contract was awarded to Precise Construction, Inc. ("Contractor") for \$ 297,000.00 by Resolution # R 11-07-184 on November 26, 2007; and

WHEREAS, the Township Engineer has reviewed and approved Change Order No. 1, which would increase the contract amount by \$ 19,270.00; and

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

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

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Cranbury Township Resolution # R 09-08-164
(Continued)

1. Change Order No. 1 is hereby approved.
2. This Resolution, when counter-signed by Precise Construction, Inc. shall serve as an amendment to the original Contract for the purpose of increasing the Contract amount by \$19,270.00 and confirming that the new Contract amount, including all change orders is \$ 316,270.00.

Ms. Marcelli asked for and received clarification that Phase II of the Babe Ruth Baseball Field project includes dugouts, bleachers and the scoreboard. Ms. Stave stated that the subcommittee, which includes a member of the Recreation Commission, needs to reconvene to review the plans for Phase II. Mayor Stout advised that it should be noted that the Recreation Commission also has questions about the grading of the ball field. The grading has been surveyed and meets specifications and will not be changed.

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

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

Nays: (None

Cranbury Township Resolution # R 09-08-163

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:

- Pending/anticipated Litigation and matters requiring confidential advice of Counsel: Review and discussion of strategic legal and planning issues with the Township Attorney, Township Planner, Township Engineer and Township Affordable Housing Consultant regarding the Township's revised Third Round Affordable Housing Plan and pending and/or anticipated litigation relating to same.

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.

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

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

Nays: (None

On Motion by Mr. Stannard, seconded by Mr. Wittman, and unanimously carried, the meeting adjourned at 8:52 p.m.

Kathleen R. Cunningham, Clerk