

TOWNSHIP COMMITTEE MEETING
MARCH 28, 2005

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 Panconi, Jr., David J. Stout, Pari Stave and Mayor Beauregard. Mr. Stannard was absent. Also present were: Trishka Waterbury, Esquire, Attorney, Cathleen Marcelli, Engineer, Frederick C. Carr, Administrator and Kathleen R. Cunningham, Clerk. Mayor Beauregard 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 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 December 6, 2004.
- (3) Was filed on December 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.

Committee Minutes of March 7 and 14, 2005.

On motion by Mr. Panconi, seconded by Mr. Stout and unanimously approved, the minutes for March 7 and 14, 2005 were adopted.

Reports and Communications

--Mayor

Mayor Beauregard asked if Township Committee Members had received an invitation from Ms. Rue of the School Board to attend its meeting on March 29, 2005 and urged the members to attend. Mayor Beauregard indicated she would not be able to attend. Mayor Beauregard also reported she, Mr. Carr and Ms. Cunningham had been having discussions on how to improve communications and systems within the Township and are trying to work on a number of ideas to track issues and suggested a system be put into place to track constituent telephone calls, as well as various Township projects and priorities. Mayor Beauregard indicated this should improve the Township's ability to handle the issues.

--Members of Committee

There were no reports.

--Subcommittees and Ad Hoc Committees

Ms. Stave reported the subcommittee for the website had held two meetings—one with staff and professionals and the other with heads of committees, boards and commissions. The subcommittee presented an initial design concept with a structure for how the web site was going to be organized and demonstrated how an individual would be able to navigate through it. Ms. Stave reported the target date to go "live" would be the end of April, beginning of May and a report would be given to the Township Committee before then.

--Subcommittees and Ad Hoc Committees (Continued)

Mr. Panconi reported before the meeting, he along with Ms. Waterbury, Township Attorney and Ms. Marcelli, Township Engineer had met with the residents of Lenape Court in reference to their concerns concerning the private road and seeking advice on how to make their road up to standards. Ms. Waterbury reported she would be looking into the matter.

Mr. Stout reported he had attended the Environmental Commission meeting and there were two items which were discussed:

1. A draft of a resolution on the fast track legislation. Ms. Waterbury indicated she was in the process of reviewing the draft.
2. The ANJEC grant to update the Township's Environmental Resource Inventory, was submitted last week.
3. Mr. John Reinfelder attended the meeting to express his interest in serving on the E.C.

Mr. Stout also reported he and Jim Applegate would be walking the Cranbury Preserve on March 29, 2005 with the U.S. Conservation Service, who would be assisting the Environmental Commission with the development of the Preserve.

Agenda Additions/Changes

The Clerk announced Cranbury Township Resolution # R 03-05-077, was being added to the Consent Resolutions and under Work Session, Item a. was being removed.

Ordinance

Second Reading

Cranbury Township Ordinance # 03-05-05

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 03-05-05, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY IN MIDDLESEX COUNTY, NEW JERSEY, AMENDING SECTION 60-3 OF CHAPTER 60, "BOATS" OF THE CODE OF THE TOWNSHIP OF CRANBURY, REPLACING EXISTING CHAPTER 64, "BUILDINGS, UNFIT" WITH NEW CHAPTER 64, "BUILDINGS, UNFIT" AND REPEALING CHAPTER 147, "WATER", 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. Stout, seconded by Mr. Panconi, the Ordinance was adopted by a vote:

Ayes: (Beauregard
(Panconi
(Stave
(Stout

Absent: (Stannard

Abstain: (None

Nays: None

Ordinance

Second Reading

Cranbury Township Ordinance # 03-05-06

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 03-05-06, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER 100 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 Mr. Panconi, seconded by Mr. Stout, the Ordinance was adopted by a vote:

Ayes:	(Beauregard (Panconi (Stave (Stout	Absent: (None Abstain: (None
Nays:	None	

Ordinance
Second Reading

Cranbury Township Ordinance # 03-05-08

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 03-05-08, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE PRIVATE SALE OF A 1963 GMC 7000 SERIES TASC 85' LADDER TRUCK AND ASSOCIATED EQUIPMENT OT HELPING OUR OWN, INC., A DULY INCORPORATED NONPROFIT ORGANIZATION, AS PERMITTED BY N.J.S.A. 40a:12-21.1., 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. Panconi, seconded by Mr. Stout, the Ordinance was adopted by a vote:

Ayes:	(Beauregard (Panconi (Stave (Stout	Absent: (None Abstain: (None
Nays:	None	

Resolutions
Consent

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

Ayes:	(Beauregard (Panconi (Stave (Stout	Absent: (None Abstain: (None
Nays:	None	

Cranbury Township Resolution # R 03-05-073

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 03-05-074

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR ELMS OF
CRANBURY– PRIVATE AND PUBLIC IMPROVEMENTS

WHEREAS, by letter dated March 18, 2005, Elm's of Cranbury has requested the release of their performance guarantee previously posted with the Township in accordance with Planning Board approval and

WHEREAS, the Township Engineer has, in a letter dated March 22, 2005 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Cash Bond	\$36,501.90
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NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury as follows:

It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".

1. It hereby authorizes the release of performance guarantees set forth in the Township Engineer's letter referenced above.
2. The Township hereby accepts the public improvements, if any so designated pursuant to the Planning Board's approval.

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

- | | |
|-----|--|
| (a) | Township Engineer |
| (b) | Township Chief Financial Officer |
| (c) | Anita Dietrick, Elms of Cranbury 61 Maplewood Ave Cranbury, NJ 08512 |
| (d) | Township Attorney |

CERTIFICATION

I, Kathleen R Cunningham do hereby certify that the foregoing is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on March 28, 2005.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 03-05-075

TOWNSHIP OF CRANBURY

Cranbury Township Resolution # R 03-05-075

(Continued)

COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

RESOLUTION RATIFYING AND REAFFIRMING THE INTERLOCAL SERVICES AGREEMENT
BETWEEN THE TOWNSHIP OF PLAINSBORO AND TOWNSHIP OF CRANBURY FOR SHARED
MUNICIPAL COURT

BE IT RESOLVED by the Township Committee of the Township of Cranbury, in Middlesex County, New Jersey ("Township"), that the Interlocal Services Agreement (Shared Municipal Court), entered into on January 14, 1999 between the Township of Plainsboro in Middlesex County, and the Township of Cranbury, to establish a shared municipal court, is hereby ratified and reaffirmed as originally entered into; and

BE IT FURTHER RESOLVED, that any and all actions taken pursuant to its terms to date are hereby also ratified and re-affirmed.

CERTIFICATION

I, Kathleen R. Cunningham, do hereby certify that the foregoing resolution is a true copy of a Resolution passed by the Township Committee of the Township of Cranbury at a meeting duly held on March 28, 2005.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 03-050-076

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

WHEREAS, the Tax Collector has determined, that the following 2005 property taxes should be canceled:

Block	Lot	Assessed to	Amount
5	26	Serv Foundation, Inc.	\$ 3,1374.52
19	12QFARM	101-107 South Main Street	\$ 503.25
22	7	23 Ancil Davison Road	\$ 73.20
22	QFARM	23 Ancil Davison Road	\$ 677.10

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury that the above property taxes for 2005 be canceled.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution which was adopted by the Township Committee on March 28, 2005.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution R-03-05-077

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

Cranbury Township Resolution R-03-05-077

(Continued)

A RESOLUTION CONCERNING BLOCK 22, LOT 7 ON ANCIL DAVIDSON ROAD AND AUTHORIZING THE MAYOR TO EXECUTE PART IV OF INTERNAL REVENUE SERVICE FORM 8283 "NONCASH CHARITABLE CONTRIBUTIONS"

WHEREAS, by deed dated May 29, 2004 and recorded in the Middlesex County Clerk's Office on July 3, 2004 in Book 5346 at Page 215 &c., the Township of Cranbury in Middlesex County, New Jersey, acquired an 88.14-acre parcel located on Ancil Davidson Road and designated on the Township's tax map as Block 22, Lot 7 (the "Property"); and

WHEREAS, the consideration for this acquisition was three million four hundred thousand dollars (\$3,400,000.00); and

WHEREAS, the sellers of the Property wish to claim a non-cash charitable contribution for the above-referenced conveyance; and

WHEREAS, to that end, the sellers have requested that the Township as the purchaser of the Property execute an acknowledgement of receipt of same;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, in the County of Middlesex, State of New Jersey, that the Mayor is hereby authorized and directed to complete and execute Part IV, Donee Acknowledgment, of Internal Revenue Service Form 8283, acknowledging receipt of Block 7, Lot 22 in Cranbury Township.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, do hereby certify that the foregoing resolution is a true copy of a Resolution passed by the Township Committee of the Township of Cranbury at a meeting duly held on March 28, 2005.

Kathleen R. Cunningham, Clerk

Reports from Township Staff and Professionals

There were no reports

Reports from Township Boards and Commissions

There were no reports

Work Session

a. Police Station Update

Mark Berkowsky of Berkowsky and Associates, Inc. updated the Township Committee on the current status of the construction of the new Police Building. Mr. Berkowsky passed the draft copy of the plaque around to the members of the Township Committee for their review. All agreed the draft plaque was correct.

Mr. Berkowsky reported progress is good and weather is bad. The paperwork is coming in slowly. The brick and block are 50% completed. All mechanical and electrical work had been started on the inside. Mr. Berkowsky indicated the conduits most likely will increase the costs and change orders will be made available to the Township within a few weeks. Ms. Waterbury requested any cost increase information should be given to Ms. Randazzese of her office, as if certain costs do increase, the Township Committee may have to follow certain procedures. Mr. Panconi raised a question about the doors being too narrow. Mr. Berkowsky responded he would take a look at the doors.

b. Report and recommendations from Personnel Subcommittee

Mr. Panconi reported the Personnel subcommittee was making a recommendation to the Township Committee for a four (4) % cost of living salary increase for all Township Employees and at some point will be giving

Work Session (Continued)

b. Report and recommendations from Personnel subcommittee

consideration to issuing merit raises to employees. Mayor Beauregard directed Mr. Carr and staff to prepare necessary paperwork to introduce a salary ordinance for the meeting of April 11, 2005. Mayor Beauregard also mentioned this 4% is the amount allocated and discussed at 2005 Budget meetings.

Mr. Panconi also reported Mr. Carr had drafted a response letter to Ms. McMurtrie and he and Mr. Stannard will get back to Mr. Carr with their approval and the letter will be prepared for the Mayor's signature. Mr. Panconi mentioned Mr. Carr will be preparing a total compensation sheet for each employee, to be included with their letter indicating the 4% cost-of-living increase. Mr. Panconi reported on the petition for a "dress down day". The Personnel subcommittee's feeling was employees should be dressed professionally and did not feel having a dress down day to be appropriate. Mayor Beauregard mentioned in the past there had been some flexibility with employees having been allowed to dress down on Fridays and this issue appeared to be a moral booster. Mr. Stout recommended looking at what other municipalities allow their employees to do. Mayor Beauregard indicated this issue would be put on hold until a survey could be done to see what policy other municipalities have. Mr. Panconi reported on the other issue on the petition—being able to use sick time in less than one hour increments as opposed to the present policy, specifically to be used in one-half hour increments. Mr. Panconi indicated the police contract follows the one hour rule and the other employees should follow same.

c. Mayoral and Township Committee Appointments

Mayor Beauregard asked for a consensus on her appointment of John Reinfelder to the Environmental Commission. Township Committee members supported Mayor Beauregard's appointment and the appointment was made.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Mr. Richard Kallan, Wynnewood Drive, asked about one of the resolutions on the consent agenda—the resolution for the interlocal services agreement with Plainsboro Township for the court. Mr. Kallan asked why the Township has not taken back the court and suggested it may be profitable for the Township to take back the court. Mayor Beauregard responded there had been three full-time staff people for the court and those salaries exceeded the revenues. Mr. Panconi responded the cost to have the court in Town Hall would have been very expensive. Ms. Linda Scott, North Main Street addressed the Township Committee regarding the request to be able to use sick time in one-half hour increments. Ms. Scott indicated if an employee needed to go to a doctor's appointment during lunch time and it only runs over one-half hour, the person would then leave early one-half hour on Friday because they were charged one hour of their time. Ms. Scott mentioned the other issue was the "jean issue". Ms. Scott indicated employees are allowed to wear denim shirts, skirts and jackets but not allowed to wear denim slacks. Ms. Scott mentioned denim is acceptable today and to be able to wear denim on Fridays would curtail employees wearing sloppy attire on other days. Mr. Panconi indicated the Committee would definitely keep an open mind about this issue and would wait to see what the other municipalities allow. There being no further comments, the Mayor closed the public part of the meeting.

Resolution

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

Ayes: (Beauregard
(Panconi
(Stave
(Stout

Absent: (Stannard
Abstain: (None

Nays: None

Cranbury Township Resolution # R 03-05-072

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:

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

2. ---Land Acquisition: Discussion of land acquisitions; MGD

---Other: Review of Closed Session Minutes from March 7 and 14, 2005

3. 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: March 28, 2005

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

Ayes: (Beauregard
(Panconi
(Stave
(Stout

Absent: (Stannard

Abstain: (None

Nays: (None

On motion by Ms. Stave, seconded by Mr. Stout and unanimously carried, the Closed Session minutes of March 7 and 14, 2005 were adopted.

Ms. Stave mentioned she had been speaking with Ms. Judy Dossin, Parks Chairperson, who had indicated the approval for the parks signage had not been finalized by Ms. Randazzese of the Township Attorney's office. Ms. Waterbury responded she would follow up with Ms. Randazzese.

Ms. Stave asked about the time frame for the joint meeting of the various committees regarding the new H.P.A.C. Ordinance. Ms. Waterbury reported Mr. Moskowitz, Planning Consultant had been working with the Township Engineer on getting together maps designating the historic district and she had to make some changes the subcommittee had made.

Ms. Stave asked the Township Attorney if she had seen a cell tower report from Ms. Christine Malone of Sprint. Ms. Waterbury responded Mr. Preiss, Township Planner had e-mailed her he had not seen anything yet and was going to get in touch with Christine Malone.

Ms. Stave reported she had asked for some sense of where the Township was on the C.F.O. issue, whether the Township is hiring someone or redefining the job, etc. and the status of the performance

evaluations for the Township Clerk and Administrator, as they were supposed to be done by the end of 2004. Ms. Stave expressed her concern that unless the Township Committee gives its staff direction it cannot hope to comment on it.

Ms. Stave asked Mayor Beauregard for a list of the goals for 2005. Mayor Beauregard responded she currently was working on the newsletter, but would get it done.

Ms. Stave indicated she had never received a copy of the petition circulated from the employees for jeans and the sick time issue. The Township Committee discussed using "paid time off". Mr. Carr indicated if this system were implemented it would involve major changes in the Township's personnel policy and it should be a personnel subcommittee issue at a later date.

Mayor Beauregard indicated she had spoken with Mr. Stannard earlier in the day she had thought there had been a recommendation to move forward with the C.F.O. position. Mr. Carr indicated he had sent a job description for a part-time person to work in the Finance Department to the personnel subcommittee and never had heard back on its approval. Mr. Panconi indicated it had been his understanding Ms. Marabello would become the C.F.O. as a part-timer, and a person would be hired part time with an accounting background. Mr. Panconi indicated he had approved the job description and he had been ok with the appointment of Ms. Marabello. Mayor Beauregard asked for a paragraph to be written up by the personnel subcommittee as a recommendation to the Township Committee, to be circulated in advance, and taken up at the next Township Committee meeting. Ms. Stave recommended this issue be put on the agenda for the next meeting.

Ms. Stave asked who was left to be evaluated. Mr. Carr indicated himself and the Clerk. Ms. Stave asked what was left to be done in reference to Mr. Carr. Mr. Panconi responded a meeting with Mr. Stannard had to be scheduled and the problem was coordinating the meeting.

Mayor Beauregard discussed with the Township Committee the systems she was trying to put in place and the reasons for them.

Mr. Panconi asked about a letter sent to M&K, the contractors from the State of New Jersey in reference to subcontractors they hired. Mr. Carr responded and explained why the letter had been sent.

The Township Committee discussed the Open Space subcommittee and indicated the two members on this subcommittee would be Ms. Stave and Mr. Stout.

On motion by Ms. Stave, seconded by Mr. Stout and unanimously carried, the meeting adjourned at 8:45 p.m.

Kathleen R. Cunningham, Clerk