

TOWNSHIP COMMITTEE MEETING

JUNE 27, 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 was: Township Committee members: Thomas Panconi, Jr., Richard Stannard, David J. Stout, Pari Stave and Mayor Beauregard. Also present were: Trishka Waterbury, Esquire, Attorney, Thomas C. Witt, Acting 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 June 13, 2005

On motion by Mr. Stannard, seconded by Mr. Stout and unanimously carried, with Ms. Stave abstaining, the minutes were adopted.

Reports and Communications

--Mayor

Mayor Beauregard reported she and Mr. Witt had met recently on several issues and would be meeting in the upcoming weeks. Mayor Beauregard also mentioned the Township Committee will be getting the financial reports by the next meeting from Ms. Marabello, C.F.O. and recommended the Township Committee review the Township's spending plans for the next six months and also determine, from the Pending Issues Report, those projects that would require funds in 2005 and 2006.

--Members of Committee

Ms. Stave requested a subcommittee be established for reviewing applications for volunteer and/or Eagle Scout projects. Ms. Stave volunteered to serve on the subcommittee and recommended Mr. Witt, Peter Sibley (representing the Environmental Commission) and Judy Dossin, Parks Committee also serve. The Township Committee unanimously supported Ms. Stave's recommendations.

--Subcommittees and Ad Hoc Committees

Mr. Panconi reported, on behalf of the Personnel subcommittee, he had put together a rough draft of an ad for the Township Administrator. Ms. Stave suggested this ad be posted on the Township's web site. Mr. Stannard recommended the ad be placed in the three newspapers for two weeks. Mayor Beauregard suggested placing the ad in the Manager's publication, as well as the League of Municipalities magazine.

Agenda Additions/Changes

Ms. Cunningham indicated on the Consent Agenda, Resolution # 06-05-143 would be removed and under the Closed Session Resolution and item was added: Contract Negotiations/Terms of Sale: E. Barclay (Block 22, Lot 7).

Ordinances

First Reading

Cranbury Township Ordinance # 06-05-17

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 06-05-17, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY AMENDING "AN ORDINANCE FIXING THE 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 introduced for first reading. On motion by Ms. Stave, seconded by Mr. Stout, the Ordinance was passed on first reading by vote:

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

Public Hearing: July 11, 2005

Acting Township Administrator

up to \$26,900.00 per year

SECTION I. The following salaries, wages and fees shall be paid to the various Township Officials and employees of the Township of Cranbury as hereinafter specified, effective May 30, 2005 unless otherwise noted.

Ordinances
Second Reading

Cranbury Township Ordinance # 06-05-15

A motion to enter an Ordinance entitled, Cranbury Township Ordinance # 06-05-15, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY IN MIDDLESEX COUNTY, NEW JERSEY, ACCEPTING THE DEDICATION OF POLICE DRIVE AS PART OF THE PUBLIC ROAD SYSTEM OF THE TOWNSHIP OF CRANBURY AND AUTHORIZING THE CONVEYANCE OF PROPERTY IDENTIFIED AS BLOCK 7.01, LOT 13 ON THE CRANBURY TAX MAP ("TAX MAP") AND TWO PORTIONS OF PROPERTY IN BETWEEN LOTS 13, 20.03 AND POLICE DRIVE IN BLOCK 7.01 ON THE TAX MAP, FOR CONSTRUCTION OF THE CRANBURY TOWNSHIP POLICE BUILDING AND EXTENSION OF POLICE DRIVE TO LIBERTY WAY", 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. Stannard, the Ordinance was adopted by a vote:

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

Ordinance
Second Reading

Cranbury Township Ordinance # 06-05-16

A motion to enter an Ordinance entitled, Cranbury Township Ordinance # 06-05-16, AN ORDINANCE REAPPROPRIATING \$181,158.38 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER FOR THE CONSTRUCTION OF THE POLICE BUILDING FINAL PHASE, FOR THE SEWER SYSTEM STUDY, FOR THE SEWER SYSTEM UPGRADE AND FOR THE PURCHASE OF PUBLIC WORKS VEHICLES AND EQUIPMENT IN AND BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY", 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. Panconi, the Ordinance was adopted by a vote:

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

Resolutions Consent Agenda

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

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

Cranbury Township Resolution # R 06-05-138

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 06-05-139

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY that Thomas Witt be appointed to the position of Acting Township Administrator, at a yearly salary of \$26,889.52, effective may 30, 2005.

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 June 27, 2005.

Kathleen R. Cunningham, Clerk

Reports from Township staff and professionals

Mr. Tom Witt, Acting Administrator reported on the up-coming revaluation. Mr. reported he and Steve Benner had met with Middlesex County the previous week to request the County charge the Township with the revaluation of all properties. Mr. Witt indicated the formal notice form Middlesex County would be sent to the Township by the beginning of July. Mr. Witt indicated the bid

specs should be ready by mid-September and the process would most likely be a two-year process with a two-year "fine tuning" period.

Mr. Witt also reported there had been no bids for the Wright South remediation project. Ms. Marcelli, Township Engineer, indicated to Mr. Witt she had called the one contractor who had picked up a bid package and his complaint had been the short completion time given in the bid specs to complete the project (60 days). Mr. Witt reported the next step of the process would be to have a meeting with Ms. Stave, Mr. Stannard, Ms. Waterbury, Township Attorney, Ms. Marcelli, Township Engineer and himself to determine if the bid specs should be changed. Mayor Beauregard reported she had received a telephone call from the President of the School Board in reference to the issue and recommended making the school's issues part of the discussion at the meeting.

Mr. Peter Sibley, Chairman of the Environmental Commission, announced that the Township's project to develop an environmental resources inventory for the Township was proceeding and the Environmental Commission had received approval from the Association of New Jersey Environmental Commissions for its grant application. Mr. Sibley reported the ANJEC will provide \$5,000 for this project and there had been a proposal from Ms. Amy Green, Environmental Consultants, to do the environmental work for the Commission and provide a complete environmental resources inventory for \$10,000. The Township's contribution would be approximately \$5,000.

Work Session

a. Police Station Update

Mark Berkowsky of Berkowsky and Associates, Inc. updated the Township Committee on the status of the construction of the new Police Building, indicating the project was on time, utility services and fire protection system installed and all of the mechanical inspections have been completed by the Township. Mr. Berkowsky also reported the total costs remained \$3,272,933 and the completion date should be September 18, 2005.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Mr. Peter Sibley, Chairman of the Environmental Commission requested that the Environmental Commission be able to participate in any meetings concerning the Wright South remediation and also requested Mr. Stout be appointed to the subcommittee. Ms. Stave indicated she would not serve on the subcommittee, allowing Mr. Stout to serve. Mr. Richard Kallan, Wynnewood Drive, suggested the Township look into the new Verizon service which will be launched shortly throughout the State to provide subscribers with cable service. Ms. Beauregard indicated the Township could contact the League of Municipalities to ask their position on the issue. Mr. Stannard raised a question concerning the re-bidding of the Wright South remediation project. Mr. Stannard asked if the Township may have to bid the work to be done during the school year. Mr. Witt indicated that would most likely be the case. Mr. Stout indicated with proper monitors in place and adequate controls there should not be any problems. Mr. Stout indicated this type of work is performed in sensitive environments all the time. Mr. Panconi spoke concerning his neighbor's problem with Comcast Cable. Mr. Panconi's neighbor had an invisible fence installed and the cable wire was erroneously cut. The cable company came out and installed a temporary cable and indicated they would return in three months. Mr. Panconi indicated it had been four months and the cable company still had not come out. The neighbor has repeatedly called, as well as Mr. Panconi and no one has responded to any of the

Public Comment (Continued)

telephone calls. Ms. Waterbury, Township Attorney, recommended the neighbor telephone the New Jersey Office Of Cable Television, who oversees the cable television industry to complain. There being no further comments, the Mayor closed the public part of the meeting.

Resolution

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

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

Cranbury Township Resolution # R 06-05-140

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:

1. --Review of Closed Session Minutes from June 13, 2005;
2. --Contract Negotiations, potential contract negotiations regarding a COAH Regional Contribution Agreement;
3. --Litigation, potential litigation and advice of counsel regarding cell Danser v. Township of Cranbury (Docket No. A-2127-04T1).
4. --Contract Negotiations/Terms of Sale: E. Barclay (Block 22, Lot 7).

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: June 27, 2005

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

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

On motion by Mr. Stannard, seconded by Mr. Panconi and unanimously carried, with Ms. Stave abstaining, the Closed Session Minutes of June 13, 2005 were adopted.

Ms. Stave asked for an update on the issue with The Cranbury Inn and asked if the Township Committee had been satisfied with the response time of the Township Zoning Officer. Mr. Witt indicated he, Mr. Graydon and Ms. Waterbury would meet later in the week to discuss the issue with The Cranbury Inn. Mr.

Witt also indicated after the last Township Committee meeting on June 13, 2005 he and Mr. Ingegneri had met. Mr. Witt then directed the Public Work's Department to go over to the parking lot at the Inn to delineate the sidewalk area. Mr. Ingegneri offered to put signs up and Thursday the Police Department did issue tickets. Ms. Waterbury indicated there seemed to be some ambiguity as to what kind of parking Mr. Ingegneri was allowed to have during construction. Mayor Beauregard indicated in response to the question as to response time, in the future there would be a process in place. Mr. Witt would work with the Township Attorney and the Zoning Officer to ensure a quick response. Mr. Stout recommended in the future such issues should be documented. Ms. Stave indicated she had sent the Zoning Officer e-mails concerning the Inn parking issue in late May and found it distressing the Township had to wait until a resident was irate before anyone could get a response. Ms. Stave also recommended just as the Township Committee is working on getting a quick response to residents, the Township Committee should be getting the same service. Mayor Beauregard indicated a process would be put in place to give Mr. Graydon direction. Mr. Witt stated, in Mr. Graydon's defense, he did not believe any process had ever been in place in the past or anyone had spoken with him about a process. Ms. Stave spoke concerning the Coor family's application being denied by H.P.A.C. and asked what the implications were. Mayor Beauregard responded they could make revisions or could subject themselves to Mr. Graydon issuing a Zoning violation. The other alternative would be for the Coors to come before the Township Committee to appeal the decision rendered by H.P.A.C..

On motion by Mr. Stannard, seconded by Mr. Panconi and unanimously carried, the meeting adjourned at 8:26 p.m.

Kathleen R. Cunningham, Clerk