

TOWNSHIP COMMITTEE MEETING  
April 12, 2004

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: Becky Beauregard, Michael Mayes, Thomas Panconi, Jr., Pari Stave and Mayor Stannard. Also present were: Trishka Waterbury, Esquire, Attorney, Cathleen Marcelli, Engineer, 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 April 8, 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 April 8, 2004.
- (3) Was filed on April 8, 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.

Resolution

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

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

Cranbury Township Resolution # R 04-04-065

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:

Cranbury Township Resolution # R 04-04-065  
(Continued)

----Personnel: HPAC Candidate Interviews

----Closed Session Committee Minutes of March 22, 2004

----Land Acquisition—Update on various parcels for possible acquisition.

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: April 12, 2004

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

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

Nays: (None

Reports and Communications from Committee  
Committee Minutes 22 March 2004

On motion by Mr. Panconi, seconded by Mr. Mayes and unanimously carried, the minutes of March 22, 2004 were adopted, with Ms. Stave abstaining.

Subcommittee Reports

Mr. Panconi reported that he had recently met with Sam DiStasio, Chief of the Cranbury Fire Company. The Fire Company plans to update their equipment at the end of the year, as well as replace the six doors. In 2006 the 1976 pumper truck should be replaced. The Fire Company intends to apply for grant money to help with the cost. The price for the doors will be approximately \$22,000.00.

Mr. Panconi also reported that he had recently read an article in The Washington Post concerning conservation easements in towns not being in compliance. Ms. Marcelli, Township Engineer and the Environmental Commission are presently checking on this and will report back to the Township Committee.

Agenda Additions/Changes

Mr. Carr announced that there is an addition to the Closed Session Resolution: Land Acquisition; update on various parcels for possible acquisition.

Resolutions  
Consent

On motion offered by Ms. Stave, seconded by Mr. Mayes, 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 04-04-066

NOW, THEREFORE, BE IT RESOLVED, by the Township of Cranbury that all bills and claims as audited and found to be correct be paid.

Mr. Panconi questioned a bill to the Township for water for Mr. Zurfluh's house. Mr. Panconi questioned why the Township was paying for that. The Mayor will call Mr. Zurfluh to resolve this issue.

Cranbury Township Resolution # R 04-04-067

AUTHORIZING INTERLOCAL AGREEMENT FOR EMERGENCY "9-1-1"/  
POLICE DISPATCHING SERVICES

WHEREAS, in previous years, the Township of Cranbury has entered into an Interlocal Service Agreement with the Borough of Hightstown for the provision of emergency "9-1-1"/police dispatching services; and

WHEREAS, the Borough of Hightstown desires to continue to provide these services to the Township of Cranbury during 2004 for a total fee of Ninety-Four Thousand Dollars (\$94,000.00); and

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et. seq. authorizes the approval of Interlocal Service Agreements by Resolution; and

WHEREAS, the Mayor and Council have reviewed the proposed Interlocal Service Agreement for Emergency "9-1-1"/Police Dispatching Services, which agreement is attached hereto and made a part hereof;

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

1. The attached Interlocal Service Agreement with the Borough of \ Hightstown for Emergency "9-1-1"/Police Dispatching Services for the period January 1, 2004 through December 31, 2004, is hereby approved, in accordance with the provisions of N.J.S.A. 40:8A-4.
2. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement for same.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify the foregoing to be a true copy of a resolution adopted by the Township Committee of the Township of Cranbury at a meeting held on April 12, 2004.

Cranbury Township Resolution # R 04-04-068

WHEREAS, the Township of Cranbury in previous years, has entered into an Interlocal Service Contract with the County of Middlesex for health services and,

WHEREAS, the term of the present contract expired and,

WHEREAS, the dollar amount for said services will be \$ 17,847.00 for the year 2004 and the base cost will be adjusted for 2005 by an amount equal to the actual increase or decrease in the cost to the County to provide these services and,

WHEREAS, the term of this contract shall be for two (2) years, commencing on January 1, 2004 and terminating on December 31, 2005, unless terminated earlier by either party,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee for the Township of Cranbury that the Mayor and Clerk are hereby authorized and directed to execute the attached agreement for said services.

CERTIFICATION

I, Kathleen R. Cunningham, 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 April 12, 2004.

\_\_\_\_\_  
Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 04-04-069

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement to Mandatory Source Separation and Recycling Act; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants (for calendar year 2004) will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Committee of the Township of Cranbury to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury that Cranbury Township hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Thomas Witt to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Cranbury Township Resolution # 04-04-069  
(Continued)

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution, adopted by the Township Committee of the Township of Cranbury on April 12, 2004.

\_\_\_\_\_  
Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 04-04-070

WHEREAS, there is a need for legal services for the Planning Board for an ongoing basis for the Township of Cranbury, and

WHEREAS, Stonaker and Stonaker law offices has submitted a proposed contract for providing these services at rates noted in the attached document, and

WHEREAS, funds are available for this purpose, and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40:11-1 et. seq.) requires that the Resolution authorizing the award of the contracts for professional services without competitive bids must be publicly advertised if in excess of the bid limit;

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

1. Mayor and Clerk of the Township of Cranbury are hereby authorized and directed to execute the attached Agreement with Stonaker & Stonaker law offices for the year 2004, as set forth in said Contract, which is available for inspection at the Office of the Township Clerk.
2. This Contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contract Law, inasmuch as said Agreement is for services to be performed by persons authorized by law to practice a recognized profession which is not susceptible to competitive bidding and is of a qualitative nature.
3. A notice regarding the award of the Contract shall be published in the Cranbury Press within ten (10) days after passage of same if the Contract will exceed the bid limit.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, hereby certify that the above is a true copy of a Resolution, adopted by the Township Committee of the Township of Cranbury on April 12, 2004.

\_\_\_\_\_  
Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 04-04-071

**RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ**

**A RESOLUTION AUTHORIZING THE REDUCTION OF A PERFORMANCE GUARANTEE FOR STAYBRIDGE SUITES – PRIVATE IMPROVEMENTS**

Cranbury Township Resolution # 04-04-071  
(Continued)

WHEREAS, by letter dated March 2, 2004 K-Bridge Development, Corporation has requested the reduction 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 30, 2004 (attached hereto as "Exhibit A") recommended that the performance guarantee be reduced and the amount that shall be **released** is as follows until all bonded items are complete is as follows:

Performance Bond	\$ 296,314.20
Cash Deposit	\$ 32,923.80

WHEREAS, the amount that shall be **retained** until all bonded items are complete as follows:

Performance Bond	\$ 126,991.80
Cash Deposit	\$ 14,110.20

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

1. It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".
2. It hereby authorizes the reduction of performance guarantees set forth in the Township Engineer's letter referenced above.
3. 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) K-Bridge Development, Corp 440 Deerfield Dr., Nazareth, PA 18064
- (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 April 12, 2004.

\_\_\_\_\_  
Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 04-04-072

#### **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 04-04-072

(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 \$1,505.81 which item is now available as a revenue from Body Armor Replacement Fund pursuant to the provision of statute, and

## Section 2

BE IT FURTHER RESOLVED that a like sum of \$1,505.81 be and the same is hereby appropriated under the caption Body Armor 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:

- (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 April 12, 2004.

---

Kathleen R Cunningham, Township Clerk

## Work Session

- a. Township Committee Goals and Subcommittees  
The Township Committee briefly discussed goals for 2004 and the formation of Subcommittees for various goals and will discuss this issue further at the April 19, 2004 meeting.
- b. Wright South Corrective Action Plan (Cathy Marcelli)  
Cathy Marcelli, Township Engineer, updated the Township Committee on the Wright South clean up. Ms. Marcelli spoke regarding the demolition of the buildings, abatement of the soil contamination, relocated driveway, baseball field and asbestos remediation on the property. Ms. Marcelli indicated that the baseball field construction would begin approximately in the Spring of 2005.
- c. Park Place West Intercept Parking Lot Grant  
The extension request for the Parking Lot project previously requested by the Township Committee as part of the circulation plan was rejected by NJDOT. It was determined by NJDOT that to use the money for non-traditional transportation Improvements and access road was not an eligible project.
- d. Millstone Park Cleanup (Cathy Marcelli)  
Cathy Marcelli, Township Engineer, updated the Township Committee on the Current remediation plan for Millstone Park. Ms. Marcelli indicated that Public Works Department employees will be planting shrubbery in the next few weeks and after that, D.E.P. will come up to do their inspection and if the site is satisfactory, will issue a "No Further Action Necessary" letter to the Township.

#### Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Ms. Stave asked that the Township appeal to the County to not remove the large tree in front of The Cranbury Inn. The Cranbury Inn is undergoing construction and one of the requirements from the County is to remove the tree. Ms. Marcelli will look into this and get back to the Committee. Ms. Stave requested for the next meeting that Buildings & Grounds be put on the agenda. Ms. Linda Scott, North Main Street, asked where the equipment from Public Works is going to be moved, once the building on the Wright South property is demolished. Mr. Richard Kallan, Wynnewood Drive, asked why the cinderblock barn on Main Street could not be used for public works machinery. Ms. Stave asked that letter be written to the County Improvement Authority, requesting \$200,000 for next year's "wish list". There being no further comments, the Mayor closed the public part of the meeting.

#### Mayor's Notes

##### a. Amendment to Planning Incentive Grant

The Township Committee reviewed a proposed amendment to a letter which will be sent to Ms. Catherine Drake, State Green Acres Program, listing properties the Township wishes to be preserved as a part of the Open Space, Recreation and Farmland Preservation Plan as outlined with the Township Master Plan, amending the list which was submitted in 2002. A general discussion of open space and open space priorities took place. Committeewoman Beauregard indicated that she wishes to call Green Acres to ask some questions and the item was deferred to the next meeting on April 19, 2004.

#### 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
Nays: None	

Cranbury Township Resolution # R 04-04-065

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:  
Cranbury Township Resolution # R 04-04-065  
(Continued)

----Personnel: HPAC Candidate Interviews



---Closed Session Committee Minutes of March 22, 2004

---Land Acquisition—Update on various parcels for possible acquisition.

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: April 12, 2004

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

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

Nays: (None

On motion by Mr. Mayes, seconded by Ms. Beauregard and unanimously approved, the Closed Session Minutes of March 22, 2004 were approved:

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

Nays: (None

The Township Committee discussed the appointment of Mr. Williams to the Historic Preservation Advisory Committee. Mayor Stannard will send Mr. Williams a letter, appointing him to H.P.A.C.

Ms. Stave mentioned that thank you letters should go out to Mr. Crabel, Mr. Hoffman and Mr. Clark of Middlesex County for their help in securing County monies for the Fischer parcel.

On motion by Mr. Stannard, seconded by Mr. Panconi and unanimously carried, the meeting adjourned at 10:18 p.m.

---

Kathleen R. Cunningham, Clerk