

TOWNSHIP COMMITTEE MEETING
May 3, 2004

The regular meeting of the Township Committee of the Township of Cranbury was held at 7:30 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 December 2, 2003 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 2, 2003.
- (3) Was filed on December 2, 2003 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.

Reports and Communications from Committee

--Committee Minutes 26 April 2004

On motion by Ms. Stave, seconded by Mr. Mayes and unanimously carried, the minutes of April 26, 2004 were adopted.

--Sub Committee Reports -

Mr. Panconi reported that the progress is being made with the Police Contract, but it is slow. There will be another meeting this Thursday, May 6, 2004.

Agenda Additions/Changes

Added to the Agenda were Cranbury Township Resolution # R 05-04-097, an emergency appropriation (for the sidewalk ordinance) and Cranbury Township Ordinance # 05-04-13, which was previously introduced as Ordinance # 03-04-07.

Also, Ms. Marcelli requested that Cranbury Township Resolutions #'s R 05-04-094 and R 05-04-095 be postponed until a later date. There are some issues with KHov that need to be resolved.

Mayor Stannard did not participate in the following discussion, nor vote:

Ordinance

First Reading

Cranbury Township Ordinance # 05-04-13

An Ordinance entitled," Cranbury Township Ordinance # 05-04-13, A BOND ORDINANCE PROVIDING FOR SIDEWALK IMPROVEMENTS IN AND BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$192,000 THEREFOR, AUTHORIZING THE ISSUANCE OF \$182,800 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COST THEREOF AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF", was introduced for first reading. On motion by Ms. Stave, seconded by Mr. Mayes, the Ordinance was passed on first reading by vote:

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

Public Hearing: May 24, 2004

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Cranbury, New Jersey as a local improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$192,000, including the sum of \$9,200 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$182,800 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is to fund Emergency Appropriation Resolution # 05-04-097, adopted by the Township Committee on May 3, 2004 which is for the improvements to Village sidewalks, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the

Cranbury Township Ordinance # 05-04-13
(Continued)

meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The improvement described in Section 3 of this ordinance shall be undertaken as a sidewalk improvement and the cost thereof shall be assessed in the following manner. An accurate account of the cost of construction of the sidewalks shall be kept, and such cost shall be assessed upon the several properties fronting on the improvement in proportion to their respective frontage thereon pursuant to and in accordance with N.J.S.A. 40:65-1 *et seq.*

Section 6. Unless notice of the pendency of this ordinance is given in accordance with N.J.S.A. 40:65-6, the Township Clerk shall cause Notice of the proposed sidewalk improvement to be given to the owner or owners of real estate affected thereby prior to the making of the sidewalk improvement described in Section 3 hereof or the awarding of any contract for such sidewalk improvement. The Notice shall contain a description of the property affected sufficient to identify it, a description of the improvement and a statement that unless the owner or owners complete the improvement within 30 days after service thereof, the Township will make the improvement at the expense of the owner or owners. Such Notice shall be served in accordance with the provisions of N.J.S.A. 40:65-2 to N.J.S.A. 40:65-5, and the proof of service shall be filed with the officer of the Township in charge of the records of tax liens of the Township within ten days after service thereof.

Section 7. The owner of any land upon which any assessment for the local improvement shall have been made may pay such assessment in the number of equal yearly installments herein determined, with legal interest on the unpaid balance of the assessment. The first of the installments shall be due and payable two months after the confirmation of the assessment, and each subsequent annual installment and interest shall be payable in each successive year thereafter at such time as the governing body shall by resolution determine, provided that any owner of land so assessed shall have the privilege of paying the whole of any assessment or of any balance of installments with accrued interest thereon at any time. Whenever any such installment shall remain unpaid for thirty (30) days from and after the time it shall become due and payable, the whole assessment or balance thereof shall become and be immediately due and payable and shall draw interest at the rate imposed upon the arrearage of taxes in the Township and shall be collected in the same manner as provided by law for other past-due assessments. Such assessment shall remain a lien upon the land described herein until the assessment with all installments and accrued interest thereon shall be paid and satisfied. Notwithstanding anything herein to the contrary, the Township shall have the right to waive default as may be permitted by law.

Section 8. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a local improvement, the cost of which shall be specially assessed in the manner provided herein.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the

Cranbury Township Ordinance # 05-04-13
(Continued)

gross debt of the Township as defined in the Local Bond Law is increased by the authorization of

the bonds and notes provided in this bond ordinance by \$182,800, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$30,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) The number of annual installments within which the special assessments are to be levied on the lots and parcels of real estate affected by the improvement is 10.

(f) The Township will not contribute to the payment of any part of the cost of the improvement.

(g) The estimated maximum aggregate amount of the special assessments is \$192,000.

Section 9. The capital budget of the Township of Cranbury is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 10. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 11. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 12. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 13. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Resolution

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

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

Nays: None

Cranbury Township Resolution # R 05-04-097

RESOLUTION OF THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING FOR AN EMERGENCY APPROPRIATION IN THE AMOUNT OF \$192,000 PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:4-46 TO PROVIDE FOR SIDEWALK IMPROVEMENTS.

WHEREAS, the Township of Cranbury has determined that as a result of the necessity of the Township to provide for sidewalk improvements; and

WHEREAS, the Township has determined that this capital improvement needs to be done immediately; and

WHEREAS, the Township intends to finance such improvements by an ordinance providing for the funding of sidewalk improvements.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Township hereby determines to make an emergency appropriation pursuant to the provisions of N.J.S.A. 40A:4-46 in order to provide sidewalk improvements.

Section 2. The Township hereby determines that such appropriations meets pressing needs for public expenditures to protect or promote the public health, safety, morals or welfare of the Township.

Section 3. This resolution shall take effect immediately. A certified copy of the resolution as adopted should be filed with the Director of the Division of Local Government Services as provided by N.J.S.A. 40A: 4-48.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution, which was adopted on May 3, 2004.

Kathleen R. Cunningham, Clerk

Resolutions
Consent Agenda

On motion offered by Ms. Stave, seconded by Ms. Beauregard, 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 05-04-091

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 05-04-092

WHEREAS, Cranbury Township desires to conduct a fireworks display located at Village Park on July 5, 2004, rain date July 6, 2004; and

WHEREAS, said fireworks display should be conducted by International Fireworks, Mfg. Co.; and

WHEREAS, the New Jersey Uniform Fire Code NJAC 5:70-3.2(a)-F 3101.3 requires that the governing body approve said fire works display by resolution prior to granting of a permit by the Fire Marshal; and

WHEREAS, International Fireworks carries \$4,000,000 insurance coverage; and

WHEREAS, the Fire Marshall has communicated with the Chief of Police, and Fire Chief of Cranbury Fire Company who will provide police, and firefighters for said fireworks display; and

WHEREAS, Cranbury Township Emergency Services will provide emergency medical service; and

WHEREAS, the Fire Marshall has reviewed the application for permit, insurance requirements, and other applicable regulations; and

WHEREAS, the Fire Marshall recommends the approval of said resolution;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that this resolution be adopted and that a permit may be granted by the Cranbury Township Fire Marshall, upon his approval, for a fire works display.

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 May 3, 2004.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # 05-04-093

RESOLUTION AUTHORIZING PARTICIPATION OF CRANBURY TOWNSHIP IN THE STATE DEVELOPMENT AND REDEVELOPMENT PLAN (State Plan) CROSS-ACCEPTANCE PROCESS

WHEREAS, the State Planning Act of 1985 (N.J.S.A. 52:18A-196 et. seq.) created a State Planning Commission and an Office of Smart Growth for the purpose of establishing a cooperative planning process that involves the full participation of state, county and local governments; and,

WHEREAS, the State Planning Act states that New Jersey needs integrated and coordinated planning in order to conserve its natural resources, to revitalize its urban centers, to provide affordable housing and adequate public facilities at a reasonable cost, to promote equal social

Cranbury Township Resolution # 05-04-093
(Continued)

and economic opportunity for New Jersey's citizens, and to prevent sprawl and promote the suitable use of land; and,

WHEREAS, the primary duty and responsibility of the State Planning Commission under the State Planning Act is the preparation of a "State Development and Redevelopment Plan;" and,

WHEREAS, the State Planning Act also provides that the State's municipalities are to have an essential role in the development of the State Plan through their participation in the Cross-acceptance process to be conducted under the Act; and,

WHEREAS, the Cross-acceptance process is the primary vehicle under the Act for promoting vertical coordination and integration of state, county and local plans by affording county and municipal governments a full and open opportunity to be involved in reconciling inconsistencies between state and local policies; and,

WHEREAS, the Board of Chosen Freeholders of Middlesex County has concluded that it is appropriate, necessary and in the County's interest to fully participate in the development of the State Plan through the full and active participation of the County government, including in particular its Planning Board and its Department of Planning, in the Cross-acceptance process,

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

1. That the Cranbury Township Municipal Planning Board is hereby authorized and directed to carry out the Cross-acceptance process pursuant to the State Planning Act, N.J.S.A. 52:18A-196 et. seq. and the State Planning Rules, N.J.A.C. 17:32 and any other rules promulgated by the State Planning Commission for this purpose.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution which was adopted by the Township Committee of the Township of Cranbury on May 3, 2004.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 05-04-096

A RESOLUTION SUPPORTING THE "CLICK IT OR TICKET" NATIONWIDE MOBILIZATION OF MAY 24-JUNE 6, 2004

WHEREAS, there were 42,815 motor vehicle fatalities in the United States in 2002, and 773 motor vehicle fatalities in New Jersey in 2002; and

WHEREAS, more than half of the motor vehicle occupants killed in traffic crashes were not wearing a safety seat belt; and

WHEREAS, the use of a safety belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the Division of Highway Traffic Safety estimates that 2,242 lives have been saved by safety belt use in the State since 1985; and

Cranbury Township Resolution # R 04-04-096
(Continued)

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* safety belt mobilization from May 24 – June 6, 2004 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the safety belt usage rate in the State from the current level of 81.2% to 84%; and

WHEREAS, a further increase in safety belt usage in New Jersey will save lives on our roadways;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Cranbury declares its support for the *Click It or Ticket* safety belt mobilization both locally and nationally from May 24- June 6, 2004 and pledges to increase awareness of the mobilization and the benefits of safety belt use.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution, which was adopted on May 3, 2004.

Kathleen R. Cunningham, Clerk

Work Session

a. Temporary Easement (Susan and Peter Mavoides)

Susan and Peter Mavoides of 10 South Main Street requested the Township Committee grant a temporary construction easement in support of their house renovation. The easement would be from the township sewer pump station access road. Ms. Waterbury, Township Attorney briefed the Township Committee on the easement.

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 05-04-090

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

A RESOLUTION AUTHORIZING THE EXECUTION OF A TEMPORARY LICENSE AGREEMENT WITH SEBASTIANO NINI, INC. FOR USE OF A PORTION OF BLOCK 23, LOT 73 AND PUMPHOUSE ROAD TO ACCESS REAL PROPERTY LOCATED AT 10 SOUTH MAIN STREET

Cranbury Township Resolution # R 05-04-090
(Continued)

WHEREAS, Sebastiano Nini, Inc. is constructing certain improvements to a single-family residence located at 10 South Main Street and designated on the Cranbury Township Tax Map as Block 23, Lot 74 (the "site"); and

WHEREAS, the northern side line of the site abuts real property owned by the Township of Cranbury, designated as Block 23, Lot 73 on the Township tax map, comprising the Cranbury Firehouse and adjacent Township-owned parking lot; and

WHEREAS, the northern side and rear property lines of the site also abut a gravel Township-owned service road commonly known as Pumphouse Road, which extends from the above-referenced parking lot to the Cranbury Brook Pump Station; and

WHEREAS, in order to complete the above-referenced improvements, Nini must from time to time bring a backhoe and certain light pick-up trucks into the rear portion of the site; and

WHEREAS, in order to minimize the disturbance to the adjacent property owners, Nini prefers to access the rear of the site via the Firehouse parking lot and Pumphouse Road; and

WHEREAS, the Township is satisfied that a temporary right of access can be granted to Nini without interfering with the Township's use of the Firehouse parking lot or Pumphouse Road; and

WHEREAS, the Township is further satisfied that it is in the public interest to grant this temporary access to Nini;

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

1. The Township of Cranbury is hereby authorized to enter into a license agreement with Sebastiano Nini, Inc. to allow Nini and/or its agents to enter into and upon that portion of the Firehouse parking lot and Pumphouse Road delineated on the plan entitled "Site Plan Cranbury Firehouse," prepared by Amertech Engineering, Inc. (George Veghte, PS & LS), dated 8/14/93, last revised 4/5/94, attached hereto as Exhibit "A" and made a part hereof (the "licensed area"), and subject to the terms and conditions set forth in the Temporary License Agreement attached hereto as Exhibit "B" and made a part hereof, or such other substantially similar terms and conditions as may be agreed to by the Mayor and Township Attorney.

2. The Mayor and Clerk are hereby authorized and directed to execute on behalf of the Township the Temporary License Agreement attached hereto as Exhibit B.

3. The Mayor and Township staff are hereby further authorized and directed to prepare and execute any other documents and undertake any and all other acts as are reasonable necessary to effectuate the purposes hereof.

CERTIFICATION

I, Kathleen R. Cunningham, RMC, Clerk of the Township of Cranbury, do hereby certify that the foregoing resolution is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on May 3, 2004.

Kathleen R. Cunningham, RMC
Clerk

Work Session (Continued)

b. Amendment to Planning Incentive Grant

Cranbury Township applied for a Green Acres Planning Incentive Grant on 15 January 2002 to purchase of the Updike and Fisher Farms as open space and possible use for recreation purposes (active or passive). The current grant application was amended by submitting additional properties for possible future preservation.

Resolution

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

Ayes: (Beauregard
(Mayes
(Panconi
(Stannard

Absent: (None

Abstain: (Stave

Nays: None

Cranbury Township Resolution # R 05-04-089

A RESOLUTION AMENDING THE PLANNING INCENTIVE GRANT APPLICATION SUBMITTED
ON JANUARY 15, 2002 TO THE STATE GREEN ACRES PROGRAM

WHEREAS, Cranbury Township submitted a Planning Incentive Grant application to the State of New Jersey, Green Acres Program, on January 15, 2002, and

WHEREAS, the Township Committee now desires to amend this application to list these additional properties:

Reinhardt North – Block 24, Lot 4 – Plainsboro Road, Clifford Reinhardt
Barclay Stream Corridor – Block 23, Lot 12.02 to the rear of 147 Plainsboro Rd. -
Township of Cranbury
MGD Development – Block 23, Lot 1.01 – 199 Plainsboro Road – c/o Ginsburg
Developers

WHEREAS, seeing the preservation of these important open space parcels as part of the Open Space, Recreation and Farmland Preservation Plan as outlined with the Township Master Plan,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury, that the original application submitted to the State Green Acres Program be amended to include the remaining farm and open space parcels in Cranbury Township, and

BE IT FURTHER RESOLVED, that the Township Committee direct the Township Administrator to send a letter to Ms. Catherine E. Drake, State of New Jersey, D.E.P., Green Acres Program.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution, adopted by the Township Committee on May 3, 2004.

Kathleen R. Cunningham, Clerk

Work Session (Continued)

Ms. Beauregard did not participate in the following discussion:

c. Sale of Wright and Barclay Properties

Township Committee reviewed draft bid documents to be used in the marketing and selling of the Barclay (North and South) and Wright (North and South) properties along with the options available for the preservation of the existing farmhouse located as part of the Barclay South. Mr. Robert Baumley, from the New Jersey Farmland Preservation Program State Agricultural Development Committee participated in the discussion with the public and the Township Committee, answering various questions and giving his expertise. Mr. Baumley indicated that he would be glad to assist in the marketing of the parcels and to offered to run the auction.

Ms. Beauregard returned to the meeting.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. There being no further comments, the Mayor closed the public part of the meeting.

Mayor's Notes

Mayor Stannard recommended that in the future the Township Committee review any potential Eagle Scout projects in order to keep informed of what is being done. Also, Ms. Stave recommended that the Township Committee come up with suggestions for future Eagle Scout projects and mentioned that the Environmental Commission is presently working on projects for the West Preserve.

Also, Mayor Stannard mentioned that there is a problem at the new Four Seasons at Cranbury Development. KHov has filled in a drainage easement in back of the development. This was done after the Certificate of Occupancy was issued. The Township Attorney informed the Township Committee that this is in clear violation of the ordinance and interfering with the easement. Mr. Graydon, Zoning Officer, will be directed to send a notice, and possibly a fine to KHov. If this does not remedy the situation the other option would be to go to court to secure an injunction.

Ms. Stave asked the status of saving the Sycamore tree in front of The Cranbury Inn. Ms. Marcelli responded that it will be difficult because of the proposed sight triangle easement, required by the County, to save the tree.

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
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Nays: None

Cranbury Township Resolution # R 05-04-088

Township of Cranbury

Cranbury Township Resolution # R 05-04-088
(Continued)

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:

the ----Land Acquisition /Negotiations: Holland House –Update regarding acquisition and/or negotiations of Holland House.

Update of E. Barclay and ----Land Acquisition/Negotiations: E. Barclay Property—
regarding the acquisition and/or negotiations
potential terms thereof.

----Land Acquisition/Negotiations: Simonson Property—Update
regarding the acquisition and/or negotiations of Simonson
and potential terms thereof.

----Personnel: Planning Board Vacancy.

----Closed Session Committee Minutes of April 26, 2004.

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: May 3, 2004

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

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

Nays: (None

On motion by Ms. Stave, seconded by Mr. Mayes and unanimously approved, the Closed Session minutes of April 26, 2004 were adopted.

On motion by Ms. Stave, seconded by Mr. Panconi and unanimously carried, the meeting adjourned at 10:35 p.m.

Kathleen R. Cunningham, Clerk