

TOWNSHIP COMMITTEE MEETING  
December 9, 2013

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: David Cook, Susan Goetz, Daniel Mulligan, Jay Taylor and Mayor Glenn Johnson. Also present were Denise Marabello, Township Administrator/Director of Finance and Kathleen Cunningham, Municipal Clerk/Assistant Administrator. Mayor Johnson 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 3, 2012 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 3, 2012.
- (3) Filed on December 3, 2012 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.
- (4) Sent to those individuals who have requested personal notice.

Regular Township Committee Minutes of November 25, 2013

On motion by Mr. Taylor, seconded by Mr. Mulligan, and unanimously carried, the Regular Township Committee Minutes of November 25, 2013 were adopted.

Closed Session Minutes of November 25, 2013

On motion by Mr. Cook, seconded by Ms. Goetz, and unanimously carried, the Closed Session Minutes of November 25, 2013 were adopted.

Reports and Communications

--Mayor

Mayor Johnson reported since the last Township Committee meeting he attended the Library Facilities Meeting, the Menorah Lighting, the Christmas Tree Lighting and the Zoning Board Meeting. Mayor Johnson reported he received a press release from Governor Christie's Office, which stated 54 companies around the State qualified for a \$60 million allocation available through the State's Technology Business Tax Credit. Mayor Johnson reported the list contained six (6) biotech companies in Cranbury.

On behalf of the Township, Mayor Johnson extended condolences to Mr. Eddie Palma and family on the loss of his wife, JoAnn.

--Township Committee

Mr. Mulligan reported the Cranbury Hair Salon will be moving out of Teddy's building and the premises will be re-rented in February. He acknowledged special birthdays of two (2) long-time residents: Mr. Dave Mayers' 50<sup>th</sup> birthday and Mr. George Nikitiades' 40<sup>th</sup> birthday.

Mr. Mulligan extended his sympathies to JoAnn Palma's family, and a moment of silence was held to remember her.

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Reports and Communications

--Township Committee (Continued)

Mr. Cook gave an update on the Brainerd Lake Dam/Bridge Project, and stated the engineering firm, Najarian, provides a daily progress report. Mr. Cook reported the project is slotted to take 300 days, and if work goes beyond that time, fines will be assessed for overage on the contract. Mr. Cook stated there was no work today due to the weather. Mr. Cook stated the east side sheathing is complete and the work will start on the west side (creek side). Once that work is done, there should not be any more vibration resulting from the work. He stated the sheathing is priority one, to be followed by demolition of sidewalks and taking up the existing structure.

Mr. Cook acknowledged the Witt's for being present at the meeting and thanked them for their participation in the negotiations for the public parking lease agreement.

Mayor Johnson stated there was a lot of rubble on the creek side of the Bridge and asked Mr. Cook where it came from. Mr. Cook explained it came from the concrete "beach" area.

Ms. Goetz reported the Beautification Project has not yet started, and she hopes to have more to report at the next meeting.

Mr. Taylor reported the Construction Department had \$4,000 of building permits issued last month. Mr. Taylor reported he attended the Christmas Tree Lighting and stated it was a beautiful event.

Reports and Communications

--Subcommittees

There were no Subcommittee reports.

Agenda Additions/Changes

Ms. Cunningham reported there were no agenda changes this evening.

Public Comment (For Items on the Agenda)

Mayor Johnson asked if the public had any comments on agenda items. Hearing no additional comment, the Mayor closed the Public Comment portion of the meeting.

Resolution

Mayor Johnson extended his thanks and appreciation to Ron and Nancy Witt on the lease agreement, stating the gesture on their part was extremely public spirited. Mr. Mulligan thanked the Witt's and Mr. Cook, stating they all worked hard on the lease agreement. Mr. Mulligan gave a brief history on the agreement, stating the Township was interested in purchasing the water tower property for parking; however, there was interest to build a home on that property. The Witt's offered to talk about utilizing some of the parking spots in their lot. Mr. Mulligan stated the agreement gives both the Township and the Witt's flexibility. He stated the lease agreement is a 30-year agreement, which can be constantly evaluated to ascertain it is working and is necessary. If the lease is not working, the Township has the ability to get out of the lease. If it is working, the Township may have the ability to purchase an easement in the future. This agreement gives the Township additional parking over the next 30 years. Mr. Mulligan the there are many nice improvements happening in the business district; namely, the additional parking, the Bridge/Dam improvement and the Beautification Project,

Mr. Mulligan stated flexibility is the key to this agreement, and he again thanked all parties for working so hard. The Township Committee members expressed their appreciation to the Witt's.

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Resolution (Continued)

On motion by Mr. Mulligan, seconded by Mr. Cook, the following Resolution was passed by vote:

Ayes:	(Cook (Goetz (Mulligan (Taylor (Johnson	Abstain: (None Absent: (None
Nays	(None	

Cranbury Township Resolution # R 12-13-146

RESOLUTION OF TOWNSHIP OF CRANBURY

WHEREAS, the Township Committee of the Township of Cranbury has determined that it is in the public interest for the Township to lease certain lands for the purpose of providing long-term public parking; and

WHEREAS, the Township is authorized to lease lands for the purpose of making same available to the public for the parking of vehicles pursuant to *N.J.S.A. 40:60-25.2*; and

WHEREAS, the Township Committee has determined that a portion of certain land located at Block 32, Lot 5, is suitable for providing ten public parking spaces ( the "Leased Area"); and

WHEREAS, the Township Committee has determined that the owner of the Leased Area, Witt Properties, LLC is amenable to entering into a 30 year lease with the Township for ten public parking spaces, subject to certain terms and conditions; and

WHEREAS, the Township had previously considered the potential condemnation of lands owned by Witt Properties for use of same for public parking; and

WHEREAS, Witt Properties has requested, as additional consideration for the lease, that the Township agree that it shall not pursue condemnation of Block 32, Lot 5 or 17 during the term of the parking lease; and

WHEREAS, the Township Committee has determined that the leased parking spaces should provide a sufficient amount of public parking in that area of the town and for that reason, it does not anticipate that condemnation of land should be necessary;

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

The Township Committee authorizes the Mayor and Clerk to execute a parking lease with Witt Properties, LLC for a portion of Block 32, Lot 5 for the lease of ten public parking spaces for a 30 year term for an annual rent of \$6000, subject to yearly escalation of 3% plus an additional amount annually as additional rent to cover the cost to the landlord of additional general liability and casualty insurance in connection with the lease of the public parking spaces, subject to the terms and conditions set forth in the attached Lease Agreement which is incorporated and made a part hereof. Further, the Township Committee resolves that because the public parking provided by the subject lease should provide an adequate amount of public parking in that area of town, the Township agrees, as part of the terms and conditions of the Lease Agreement, that it shall forego any exercise of eminent domain with respect to Block 32, Lots 5 and 17 during the term of the Lease Agreement.

TOWNSHIP COMMITTEE MEETING  
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Consent Agenda  
Resolutions

Mayor Johnson asked the Committee if they wished to address any Consent Resolutions separately. Mr. Taylor reported the change to the Personnel Manual was that vacation time would now be accrued each year instead of being awarded on January 1st. There being no further comments, the Mayor asked for a motion to approve the Consent Agenda Resolutions. On motion by Mr. Mulligan, seconded by Mr. Cook, the Resolutions were passed by vote:

Ayes: (Cook  
(Goetz Abstain: (None  
(Mulligan Absent: (None  
(Taylor  
(Johnson

Nays (None

Cranbury Township Resolution # R 12-13-147

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 # R 12-13-148

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,

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 2013 in the sum of \$61,167.46 which item is now available as a revenue from the County of Middlesex pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$61,167.46 is hereby appropriated under the caption "Recycling Tonnage Grant"

Section 3

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

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CRANBURY TOWNSHIP # R 12-13-148  
(Continued)

- (a) Director of the Division of Local Government Services
- (b) Township Chief Financial Officer

Cranbury Township Resolution # R 12-13-149

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,

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 2013 in the sum of \$2,440.81 which item is now available as a revenue from State of New Jersey pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$2,440.81 is hereby appropriated under the caption "Body Armor".

Section 3

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

- (c) Director of the Division of Local Government Services
- (d) Township Auditor
- (e) Director of Finance

Cranbury Township Resolution # R 12-13-150

RESOLUTION APPROVING THE TOWNSHIP'S PERSONNEL MANUAL

WHEREAS, Cranbury Township adopted a Personnel Policy and Procedures Manual on April 28, 2008; and

WHEREAS, the Municipal Excess Liability Fund requires the Township to make changes to the Manual and have its Personnel Attorney review any changes made to the Personnel Policy and Procedures Manual; and

WHEREAS, the Township Committee, as appropriate authority, for the purpose of administration of its employees, may by resolution, adopt any and all changes made to the Personnel Policy and Procedures Manual; and

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Cranbury Township Resolution # R 12-13-150  
(Continued)

WHEREAS, pursuant to certain new rules and regulations concerning said Manual, comprehensive revisions to the Manual have been added;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury, that the Personnel Policy and Procedures Manual is hereby adopted by this Resolution and a new copy shall be kept in the Office of the Township Clerk and one copy distributed to each employee of the Township of Cranbury; and

BE IT FURTHER RESOLVED that the Township Administrator and the Township's Personnel Attorney are hereby authorized to make technical and non-material modifications to said amendment prior to its distribution; and

BE IT FURTHER RESOLVED a certified copy of this Resolution and Manual be sent to the Municipal Excess Liability Fund.

Cranbury Township Resolution # R 12-13-151

GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE  
FISCAL GRANT EXTENSION JANUARY 1, 2013 TO JUNE 30, 2014

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, Township of Cranbury was approved for a Municipal Alliance grant for the January 1, 2013 through December 31, 2013 grant term; and

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse has extended the 2013 grant term until June 30, 2014, in order to transition the grant to a fiscal year rather than calendar year cycle; and

WHEREAS, funding has been made available to Cranbury Municipal Alliance in the amount of 50% of its approved 2013 grant total for the six-month extension period of January 1, 2014 to June 30, 2014, contingent upon meeting the 25% Cash Match and 75% In-Kind Match grant requirement for the extension funding.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee does hereby authorize the submission of the grant extension for the Cranbury Municipal Alliance grant in the amount of:

DEDR	\$ 7,749.00
Cash Match	\$ 5,811.75
In-Kind	\$ 5,811.75

The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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Reports from Township Boards and Commissions

Chief Mike Kervan, of the Cranbury Fire Company, reported the Fire Company's November 2013 statistics: the Fire Company responded to 37 incidents (313 year-to-date incidents) and there were 305 man hours volunteered. Mr. Kervan reported the officers for next year are: Mike Kervan, Chief; Todd Kearney, Deputy Chief; Jeremy Watkins, Assistant Chief; Charlie Smith, Engineer; Richard Zimmer, Jr., President; Joe Buonovolonta, Vice President; Dianne Borsuk, Secretary; Tim Norland, Treasurer; Marie DiStasio, Corresponding Secretary; and Bob Allen, Trustee.

Chief Kervan stated a question was asked at the last meeting about the amount of hours required in Fire Fighter 1, and he reported Middlesex County Fire Fighter 1 Program was 150 hours for last quarter. He stated Lake Rescue Training will be held in February. He stated some members already have had the training; however the training must be renewed. There is also initial training. The training consists of both classroom and hands-on training and is held on Friday night, and all day Saturday and Sunday. The Township Committee thanked Chief Kervan for his report.

Reports from Township Staff and Professionals

--Administrator's Report

Ms. Marabello stated she had nothing to report.

--Assistant Administrator's Report

Ms. Cunningham stated she had nothing to report.

Public Comment

The Mayor opened the meeting to public questions and comment.

Mr. Tom Connolly, Petty Road, inquired about the Township's financial obligation for the parking lease agreement. Mr. Mulligan stated the financial obligation is \$6,000 annually for the lease itself and an additional annual indemnification of \$1,000 to \$1,500. Mr. Connolly stated there are two eyesores in the Township. He stated the area around Mr. Shaw's North Main Street property has many no parking signs. He stated he is not looking for feedback; however, the area is an eyesore. He stated there are also cones to prevent vehicles from driving on to Old Cranbury Road. Mr. Connolly asked if the cones and caution tape were a temporary or permanent solution. Mr. Mulligan explained the posts will remain. The cones and caution tape were placed as a cautionary measure and should be removed soon.

There being no additional comment, the Mayor closed the public portion of the meeting.

Mayor's Notes

Mayor Johnson reported he had no Mayor's Notes.

Resolution

On a motion by Mr. Taylor, seconded by Mr. Mulligan and unanimously carried, the following Resolution was passed by vote:

Ayes:	(Cook	Abstain:	(None
	(Goetz		(None
	(Mulligan	Absent:	(None
	(Taylor		
	(Johnson		

Nays (None

TOWNSHIP COMMITTEE MEETING  
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Cranbury Township Resolution # R 12-13-152

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:

-- "N.J.S.A. 10:4-12b (8) – Personnel"

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.

On a motion by Mr. Taylor, seconded by Ms. Goetz and unanimously carried, the meeting returned to Open Session at 9:30 p.m.

Mayor Johnson stated he had one (1) more item of business to address. He reported there is a vacancy on the Zoning Board. Mr. Mulligan stated he looked at the applicants and stated he thought Mr. Rob Diamond would be a good choice. Mr. Mulligan stated Mr. Diamond is a long-time resident who would be a lot of perspective to the Board. Mr. Mulligan stated the other candidates were also good; however, he felt Mr. Diamond was the best choice. Mr. Cook agreed, stating Mr. Diamond had applied before and he felt Mr. Diamond is very interested. Ms. Cunningham clarified that his appointment would be for the 2<sup>nd</sup> Alternate position previously held by Mr. Barry, who resigned from the Zoning Board. The term would expire on December 31, 2014. Mayor Johnson inquired if the Alternates' term was for one (1) year. Ms. Cunningham stated she would check, and if that is the case, Mr. Diamond would have to be reappointed in January. The Township Committee unanimously agreed on Mr. Diamond's appointment. Ms. Cunningham stated she would e-mail Mr. Diamond to inform him of his appointment. Mr. Mulligan confirmed the term does not expire until December 31, 2014.

Mr. Cook inquired about the dredging of the Lake, and Ms. Goetz stated she has not yet received the proposal. Samples will be taken to ascertain if the dredge is clean or dirty. If the dredge is clean, a local farmer may be able to take the dredge versus paying to have it dumped. She reported dredging is a maintenance process.

Mr. Mulligan made the suggestion that the other Zoning Board applicants be thanked for their interest and be informed that the position has been filled. Ms. Cunningham stated she would notify them in the morning.

On a motion by Mr. Taylor, seconded by Mr. Mulligan and unanimously carried, the meeting adjourned at 9:37 p.m.

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Kathleen R. Cunningham, RMC  
Municipal Clerk