

TOWNSHIP COMMITTEE MEETING
April 25, 2011

The regular meeting of the Township Committee of the Township of Cranbury was held at 7:00 p.m. in the in the Town Hall Meeting Room. Answering present to the roll call were Township Committee members: David Cook, Glenn Johnson, Daniel Mulligan, and Jay Taylor, and Mayor Win Cody. Also present were Denise Marabello, Township Administrator/Director of Finance; Kathleen R. Cunningham, Clerk/Assistant Administrator, Steve Benner, Tax Assessor, and Jean Golisano, Deputy Clerk. Mayor Cody 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, 2010 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, 2010.
- (3) Was filed on December 2, 2010 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, and
- (4) Sent to those individuals who have requested personal notice

Ms. Cunningham announced, in accordance with the Open Public Meetings Act, notice of the time change of this meeting for Closed Session at 6:45 p.m. was posted on Municipal Office Bulletin Board, communicated to the Cranbury Press, Home News Tribune and Trenton Times on April 20, 2011 and posted on the Township's web site.

Resolution

On motion offered by Mr. Cook seconded by Mr. Mulligan, the following resolution was adopted by vote:

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

Nays: (None

Cranbury Township Resolution # R 04-11-055

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): Discussion of vacancy of
Assessing Clerk

TOWNSHIP COMMITTEE MEETING
April 25, 2011

Cranbury Township Resolution # R 04-11-055
(Continued)

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 motion by Mr. Taylor, seconded by Mr. Johnson, and unanimously carried, the meeting returned to Open Session at 7:00 p.m.

Regular Township Committee Minutes of April 11, 2011

Mr. Johnson requested a change on the minutes to include his comment "a solution be found to accessing the easements which is best for the community." Ms. Cunningham stated Mr. Johnson should e-mail his wording to Ms. Golisano, Deputy Clerk and the minutes would be amended. On motion by Mr. Mulligan, seconded by Mr. Taylor and unanimously carried (with Mayor Cody abstaining due to his absence), the Regular Township Committee Minutes of April 11, 2011 were adopted with Mr. Johnson's amendment.

Closed Session Minutes of April 11, 2011

On motion by Mr. Mulligan, seconded by Mr. Taylor and unanimously carried (with Mayor Cody abstaining due to his absence), the Closed Session Minutes of April 11, 2011 were adopted.

Reports and Communications

-- Mayor

Mayor Cody reported the Master Plan Subcommittee met several weeks ago and discussed the zoning changes of three (3) commercial districts. He also reported the Township received a grant from the County for \$450,000 for the Reinhardt property, and stated the Township's acquisition of the property should be mostly paid for. Mayor Cody also stated there will be on the May 9th Work Session a discussion on term limits for Township committees, commissions and boards. He stated the possibility of consolidating some boards will also be discussed, and asked Township Committee members as liaisons to boards, review and consider possible combinations.

-- Township Committee

Mr. Taylor reminded Mayor Cody the discussion on the sidewalk ordinance is also scheduled for May 9th, and Mayor Cody stated this discussion will be moved to the following meeting on May 23rd.

Mr. Taylor reported the traffic statistics for February. There were 122 summonses, with most summonses issued on Route 130, Main Street, Plainsboro Road and Old Trenton Road. Overtime man hours for March totaled 249.5 hours for shift coverage, school/training, investigations and DARE. Front-line supervision training for newly appointed sergeants and the continuance of temporary disability for one officer were cited as the major factors for overtime. Mr. Taylor reported there were 21 crashes in the Township, and the Detective Bureau had 21 new investigations and closed ten (10) investigations. Two students began the Intern Program and are currently working on the alarm registration project. Mr. Taylor reported the CERT team is being reorganized and plans have begun to activate members for events this year. The OEM has started meetings with FEMA to obtain federal assistance for the 2010 blizzard. Mr. Taylor stated Officer Jeffrey Morley concluded another successful DARE program with 78 fifth grade students graduating from the Cranbury Township DARE program. Mr. Taylor reported for the month of March: 15 arrests, three (3) driving while intoxicated, one (1) burglary, eight (8) theft/shoplifting, ten (10) warrants, one (1) CDS (drugs), and 55 unfounded burglar alarms. Vehicle mileage for the month was 11,972 with maintenance expenditures at \$367.35 (YTD expenditures \$6,109.50). There were no major vehicle repair expenditures in February.

TOWNSHIP COMMITTEE MEETING
April 25, 2011

Township Committee (continued)
Mr. Taylor (con't)

Mr. Taylor stated there is much information in the news about police departments sharing services, and he requested Chief Varga prepare a list of current Cranbury Police Department shared services agreements. Mr. Taylor stated Chief Varga's list includes the police dispatching services with Hightstown, the Municipal Court with Plainsboro Township, the police car mobile data computers with South Brunswick Police Department, automated fingerprinting through the State Police, telephysic (psychiatric) services through Middlesex County, domestic violence response team with Plainsboro, and Juvenile Justice Committee with Plainsboro. Mr. Taylor stated there are a number of shared services agreements in place. In addition, Mr. Taylor stated there is an agreement with East Windsor Police Department whereby an East Windsor officer can respond to Cranbury and a Cranbury officer can respond to East Windsor, if needed, at no cost to either Township. The Township Committee has administrative responsibilities of the Police Department, such as number of officers, vehicle maintenance, etc, but all arrests and legal actions for the Police Department fall under the jurisdiction of the Middlesex County Prosecutor's Office. Mr. Taylor reported Plainsboro Township is in the process of investigating red light cameras as a way to reduce traffic accidents and increase pedestrian safety. Mr. Taylor reported he had asked Ms. Cunningham, Township Clerk, to contact East Windsor and Plainsboro for information they have received concerning costs and issues of red light cameras. Mr. Taylor stated Ms. Cunningham had been told there are two (2) firms that can perform studies (number of vehicles crossing an intersection and benefits of red light cameras) at no cost or impact to the Township. Mr. Taylor stated it may be a worthwhile study since no cost is involved.

Mr. Taylor reported the Civil War Monument has been delivered and is in place in Memorial Park. The Monument is wrapped in plastic until the dedication to the 14th Infantry on June 11th. Mr. Taylor thanked Ms. Cunningham for her efforts in getting the Trenton Times, the Star Ledger, the Home News and New Jersey Network News to cover the event. Mr. Taylor recommended, since the Cranbury Township website will be redesigned, a link be added for events such as this one so people outside of the Township who visit our web site will be able to access various events that take place. Mr. Taylor reported recently he had been approached by residents concerning the Sewer Fair Share and inquired if Mayor Cody or Mr. Cook had any information. Mr. Cook stated he has no information to provide at this time.

Mr. Cook reported on the status of the affordable housing legislation and stated the Township is still waiting on Senator Lesniak's proposed legislation. Mr. Cook stated he understands there is still work being done on the language without changing the 10% number which allows a Township to qualify its inventory for affordable housing. There are a series of other points in the Lesniak Bill affecting townships much larger than Cranbury, and cited 10% of Perth Amboy or Hamilton would be many more affordable housing units than 10% in Cranbury.

Mr. Cook reported he attended a DEP meeting concerning the Dam and Brainerd Lake Bridge repair project. The DEP meeting was to obtain a permit to let Middlesex County and engineers review the plans to see if the project meets DEP requirements. Of the three (3) options given to Cranbury, Mr. Cook reported the third and most expensive option does not give the Township enough additional premium for the monies spent than the first two options. Mr. Cook stated the repairs will be a hybrid of the first two (2) options at a price tag of approximately \$1.5 to \$2 million to create a dam and bridge which will handle a storm that comes once every ten (10) years. The fit and retrofit of the bridge will handle a storm that creates six (6) inches of water over the roadway for a seven (7) hour period. Mayor Cody inquired if that type of water would cause any permanent damage. Mr. Cook stated it would not cause permanent damage, and stated it looks like the DEP will approve the plans. He said before any construction takes place, Cranbury Township, the engineers and the County will meet with the Cranbury Historical Preservation Society to affirm the construction will retain the current pleasing appearance.

TOWNSHIP COMMITTEE MEETING
April 25, 2011

Subcommittees

There were no reports this month from Subcommittees.

Agenda Changes/Additions

Ms. Cunningham, Clerk/Assistant Administrator, announced there were no changes to the agenda.

Ordinance

First Reading

Cranbury Township Ordinance # 04-11-09

An Ordinance entitled, "Cranbury Township Ordinance # 04-11-09, AN ORDINANCE TO ESTABLISH A FEE SCHEDULE FOR RETAIL FOOD ESTABLISHMENT RE-INSPECTIONS AND RETAIL FOOD ESTABLISHMENT INITIAL PLAN REVIEWS BETWEEN THE MIDDLESEX COUNTY PUBLIC HEALTH DEPARTMENT AS THE CONTRACTING AGENCY AND THE TOWNSHIP OF CRANBURY".

- SECTION 1: Retail food establishment re-inspections fee \$50.00.
- SECTION 2: Retail food establishment initial plan review fee \$75.00.
- SECTION 3: Fees are payable to the Middlesex County Public Health Department within ten (10) business days of the re-inspection or plan review.
- SECTION 4: Failure to pay the fee within ten (10) working days will result in a court summons with fines as follows:
- | | |
|---------------------------------|----------|
| First Penalty: | \$100.00 |
| Second Penalty: | \$200.00 |
| Third and Subsequent Penalties: | \$400.00 |

The fees and any subsequent court costs will be in addition to the fines provided above for anyone found guilty of violation of this ordinance.

For the public's information, Ms. Cunningham explained Township Administrator Denise Marabello received a letter from the Middlesex County Public Health Department concerning new fees for retail food reviews and re-inspections. These fees currently do not exist, and this is a request from the County asking the Township to adopt the Ordinance. Mayor Cody asked for confirmation these were new fees and asked if the Township is required to adopt the Ordinance. Mr. Marabello stated she called Middlesex County Board of Health and spoke with the Assistant to Director David A. Papi, who confirmed this is a new ordinance which contains new fees, and the County is not sure how it will handle those municipalities who should decide not to adopt the Ordinance. Ms. Marabello was directed to send a letter to Mr. Papi and wait for a response. Ms. Marabello stated the County eventually may mandate municipalities pass the Ordinance. Mayor Cody asked if the County is currently doing the inspections for restaurants, and Ms. Marabello confirmed inspections are done by the County Health Department however the County does not currently charge for those inspections. Mr. Mulligan stated he was not in favor of the Ordinance and wanted a letter sent to the County inquiring about the necessity for the ordinance. Mr. Mulligan stated more fees should not be placed on the businesses of Cranbury. He agreed the Township may need to eventually pass the Ordinance; however, further inquiries should be made first. Mr. Taylor and Mr. Cook agreed not to proceed with the Ordinance. Hearing no motion on the Ordinance, Mayor Cody stated a letter will be sent to the County.

TOWNSHIP COMMITTEE MEETING
April 25, 2011

Ordinances
Second Reading

CRANBURY TOWNSHIP ORDINANCES # 03-11-06 AND # 03-11-07

Ms. Cunningham, Municipal Clerk, explained after introduction at April 11, 2011 meeting both of these ordinances have been referred to the Environmental Commission and Planning Board for review, and the ordinances will continue to be carried over until such time the Township Committee receives feedback from the Environmental Commission and Planning Board. She explained to the public Middlesex County requested the Township adopt these ordinances for Middlesex County to get approval by the Department of Environmental Protection. Ms. Cunningham stated a letter was received by fax today from Valerie Kimson, Esq., the Cranbury Township Planning Board Attorney, which Ms. Cunningham read into the record. Ms. Kimson's letter stated the Planning Board met on April 21st however, did not have sufficient time to review the Ordinance. Discussion of the Ordinances has been postponed to the May 5th Planning Board meeting, and the Township Committee is requested to forestall action until after the Planning Board comments. Ms. Kimson, Esq. further stated in her letter the Ordinances are inconsistent with the 2010 Master Plan. The Planning Board will review the Ordinances more fully and will provide a more detailed report subsequent to the May 5th meeting. Ms. Kimson, Esq. suggested the public attend the Planning Board meeting if they have any comments on the ordinances. Mr. Cook commented these ordinances come from the State and the request to adopt them is merely a formality. Mr. Cook stated he wanted the public to know it may be very difficult to change the ordinances as it is not only the Township interpreting the Ordinances.

CRANBURY TOWNSHIP ORDINANCE # 03-11-06

An Ordinance entitled, Cranbury Township Ordinance # 03-11-06, "AN ORDINANCE DESIGNATING RIPARIAN ZONES AND PROVIDING FOR LAND USE REGULATIONS TO PROTECT STREAMS, LAKES AND OTHER SURFACE WATER BODIES OF CRANBURY TOWNSHIP.

CRANBURY TOWNSHIP ORDINANCE # 03-11-07

An Ordinance entitled, Cranbury Township Ordinance # 03-11-07, "AN ORDINANCE REGULATING THE INTENSITY OF USE IN AREAS OF STEEPLY SLOPING TERRAIN TO LIMIT SOIL LOSS, EROSION, EXCESSIVE STORMWATER RUNOFF, THE DEGRADATION OF SURFACE WATER AND TO MAINTAIN THE NATURAL TOPOGRAPHY AND DRAINAGE PATTERNS OF LAND"

Ordinance
Second Reading

CRANBURY TOWNSHIP ORDINANCE # 04-11-08

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 04-11-08, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY AMENDING "AN ORDINANCE FIXING THE SALARIES, WAGES AND BENEFITS 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 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. Taylor, seconded by Mr. Johnson, the Ordinance was adopted by a vote:

TOWNSHIP COMMITTEE MEETING
April 25, 2011

CRANBURY TOWNSHIP ORDINANCE # 04-11-08
(Continued)

Ayes: (Cook
(Johnson
(Mulligan
(Taylor
(Cody

Abstain: (None
Absent: (None

Nays: (None

Resolutions
Consent Agenda

Mayor Cody read the Consent Resolutions and asked Township Committee members if they wanted any resolutions handled separately. Mayor Cody asked if Cranbury Township Resolution # R 04-11-058 for Yard Waste Recycling Agreement is the same Agreement as in previous years. Ms. Marabello confirmed it is the same Agreement as the previous two (2). Mayor Cody asked if the Municipal Alliance funding is in the Township budget, and Ms. Marabello confirmed it is. Mayor Cody stated Cranbury Township Resolution # 04-11-060 is for a \$100,000 grant obtained by Ms. Cunningham, Clerk/Assistant Administrator, from Middlesex County and will be used for the purchase and installation of approximately 65-100 energy efficient windows at Town Hall. Mr. Taylor inquired if Mr. Farrington, Construction Official, will be doing the specs for the windows, and Ms. Cunningham reported the specs have already been done by Mr. Farrington and Ms. Erin Lysy of the Finance Department. On a motion by Mr. Taylor, seconded by Mr. Cook, the following Consent Agenda Resolutions were adopted by vote:

Ayes: (Cook
(Johnson
(Mulligan
(Taylor
(Cody

Abstain: (None
Absent: (None

Nays: (None

Cranbury Township Resolution # R 04-11-057

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 04-11-058

A RESOLUTION AUTHORIZING YARD WASTE RECYCLING
AND MARKETING SERVICES AGREEMENT WITH
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY

WHEREAS, it is in the best interests of Cranbury Township to enter into a yard waste recycling and marketing agreement with Middlesex County Improvement Authority from April 25, 2011 through March 31, 2013;

WHEREAS, said agreement has been reviewed and recommended by Recycling Coordinator, Linda S. Scott;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Cranbury hereby authorizes the Mayor and Township Clerk to execute the yard waste recycling and marketing agreement which is attached hereto and made a part hereof.

TOWNSHIP COMMITTEE MEETING
April 25, 2011

Cranbury Township Resolution # R 04-11-059

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

WHEREAS, the County of Middlesex has received a grant from the State of New Jersey to be used for alcoholism and drug abuse prevention and education services to Middlesex County residents; and

WHEREAS, the County desires to provide the sum of \$5,166.00, including \$3,566 to be used for related Municipal Alliance related activities, \$1,000 for related equipment, and \$600 to be used for Municipal Alliance training activities; and

WHEREAS, the Township of Cranbury must provide matching funds in the amount of \$5,166.00 cash and in-kind service to receiving the aforementioned sum; and

WHEREAS, the Chief Financial Officer has certified the Township will match said funds in the amount of \$5,166.00; and

WHEREAS, an Agreement is necessary to set forth the terms and conditions under which the County will pay said monies;

NOW, THEREFORE, in consideration of the payment of said monies and the said services to be rendered,

BE IT RESOLVED, by the Township Committee of the Township of Cranbury, that the Mayor and Clerk are hereby authorized and directed to execute on behalf of the Township of Cranbury the Agreement attached hereto as Exhibit or other substantially similar agreement and that has been approved, and to undertake any and all acts necessary to effectuate the terms hereof.

Cranbury Township Resolution # R 04-11-060

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 2011 in the sum of \$100,000.00 which item is now available as a revenue from Middlesex County pursuant to the provision of statute, and

TOWNSHIP COMMITTEE MEETING
April 25, 2011

Cranbury Township Resolution # R 04-11-060
(Continued)

Section 2

BE IT FURTHER RESOLVED that a like sum of \$100,000.00 is hereby appropriated under the caption Sustainable Economic Growth Fund.

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:

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

Cranbury Township Resolution # R 04-11-061

RESOLUTION AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIENHOLDER

WHEREAS, at the Municipal tax sale held on October 14, 2010, a lien was sold on Block 25 Lot 35 known as 122 Plainsboro Road for 2009 delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate#10-00002 was sold to US Bank Cust for Pro Capital I; and

WHEREAS, Bolster & Bruder, Attorneys at Law have effected redemption of Certificate#10-00002 in the amount of \$3,740.10,

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector be authorized to issue a check in the amount of \$3,740.10, payable to US Bank, Cust for Pro Capital I, US Bank TLGS, 50 South 16th Street, Suite 1960, Philadelphia, PA 19102.

Work Session

a). Discussion on Capital Ordinances

Mayor Cody reported the Township has \$2.4 million left in Capital Ordinances. He stated the Township Committee would not be addressing each ordinance, but stated some are not being used any more. Mayor Cody suggested re-allocating monies so the Township could borrow less or none to finance the repairs of the Dam. Ms. Marabello prepared a spreadsheet and marked each ordinance with "leave it" or "re-appropriate" comments. She stated the funds must be used for the purpose allocated, and explained the capital ordinance process to the public. Mr. Mulligan stated Ms. Marabello had marked approximately \$513,000 in funds for re-appropriation, which could be used for Dam repairs. Mr. Cook suggested not making quick decisions on re-allocating funds and to determine first what ordinances are still necessary. Mayor Cody questioned several ordinance amounts and asked why the funds could not be re-appropriated. The Township Committee reviewed the ordinances and made suggestions on which funds to re-appropriate. Mr. Mulligan inquired about the procedure and asked how the funds would be re-appropriated. Ms. Marabello stated all funds could be re-appropriated to the Brainerd Lake Dam repair project. She stated she will show how the Ordinance is funded by listing the amounts. Mayor Cody inquired if the Ordinance will be ready for the next meeting, and Ms. Marabello confirmed it will be on the May 9th agenda. Mr. Mulligan inquired what the final number of re-appropriations totaled, and Ms. Marabello stated she did not add it up, but approximated the total to be close to \$1.4 million of the \$1.9 million needed for the repair project. Mayor

TOWNSHIP COMMITTEE MEETING
April 25, 2011

Work Session

a). Discussion on Capital Ordinances

Cody inquired if the Township would borrow the other \$500,000 or re-appropriate additional funds from the ordinances and asked if monies were needed in the future, the Township could do new ordinances. Mr. Taylor asked if the Township would need to take a note out if the Township needs to settle a tax appeal with the County in the near future. Ms. Marabello responded the Township will be fine providing the Liberty Way Bridge does not proceed as the Township would only be responsible for the engineering costs. Ms. Mulligan asked if there were any limitations on how often the Township could re-appropriate funds. Ms. Marabello stated the Liberty Way Bridge was funded by a bond and the Township has been paying that down. The bond is at a fixed rate, and Ms. Marabello inquired if the Township Committee wanted to reappropriate those funds or if the Liberty Way project proceeds, take out another note. Mayor Cody stated if Liberty Way proceeds, there is currently not enough funds. Mr. Mulligan stated the capital ordinances need to be an ongoing conversation. Before the Township borrows any money, the capital ordinances should be looked at. Mr. Mulligan stated the Township Committee did not need to decide everything this evening, but Mayor Cody pointed out a proposed note would be discussed at the next meeting. Mayor Cody confirmed the Capital Ordinances will be reviewed periodically.

Reports from Township Staff and Professionals

Administrator

Ms. Marabello reported the Tax Collector received a request, a copy of which was distributed to the Township Committee, to do a private sale for a tax certificate for a Township lien on a property that has delinquent taxes. A resident has requested to purchase that municipal lien. This process is legal according to the State Statute, will actually save the Township foreclosure costs and will transfer the tax liability to an outside lien holder. Ms. Marabello stated, with the Township Committee's approval, the Tax Collector will prepare a resolution to proceed with the sale. Ms. Marabello explained the value of the lien currently is \$5,200 for taxes and interest. Ms. Marabello explained the lien process to the Township Committee, and said the lien holder would determine the interest. Ms. Marabello asked for the Township Committee's approval for the Tax Collector to proceed, and all Township Committee members unanimously agreed.

Ms. Marabello reported she was asked by Mr. Bob Virgadamo to check with the Township Committee members who are walking in the Memorial Day Parade. All members indicated they will be walking and Mayor Cody will be speaking at the Memorial Day Service.

Reports from Township Board and Commissions

Park Planning Commission

Mr. Thomas Weidner, Chairperson

Mr. Tom Weidner, Chairman of the Park Planning Commission, presented and discussed with the Township Committee the Commission's Annual Report. He thanked the Township Committee for the opportunity to report the Commission's 2010 accomplishments, future goals and to answer any questions the Township Committee or public may have. Mr. Weidner stated the New Jersey History Association will be donating a monument to be placed in Memorial Park to honor Civil War soldiers of the 14th Infantry for the 150th Anniversary of the Civil War. Eagle Scout candidate Andrew Zysk has agreed to construct a blue stone walkway to and around the Monument as part of his Eagle Scout project. Mr. Weidner stated the ceremony will be at 11 a.m. on June 11th and a campsite will be set up on the evening of June 10th. Mr. Weidner reported there is a wonderful 15 foot Civil War monument in Brainerd Cemetery behind the Presbyterian Church honoring 69 soldiers from the Cranbury area who died, and recommended the public should see it. The Presbyterian Church is in the process of cleaning that monument. Mr. Weidner thanked Audrey Smith, Jerry Pevahouse, Norma Swale and Pat Scott for their assistance in planning the event. Mr. Weidner stated this should be a very nice event, and he understands the Cranbury Monument is the only Monument being erected in New Jersey this year.

TOWNSHIP COMMITTEE MEETING
April 25, 2011

Reports from Township Board and Commissions
Park Planning Commission (Continued)
Mr. Thomas Weidner, Chairperson (cont'd)

Mr. Weidner reported since 2008 the Park Planning Commission visits every Township park each year and reports its recommendations for maintenance and short/long term goals for each park. Mr. Weidner asked Mr. Mulligan for a status on the Village Park sign, as it is an item on their list. Ms. Marabello stated Mr. Jerry Thorne of Public Works is addressing the sign. Mr. Weidner stated the Commission is very happy with how the parks are maintained and stated the Public Works employees do a wonderful job at all of the Township's parks. He stated he gave a copy of the maintenance list to Mr. Thorne, who was very appreciative of the list. Mr. Weidner then opened his report up for any questions:

Mayor Cody inquired if the fallen trees on the Boy Scout Trail in the West Property were cleared as they were blocking the trail. Mr. Weidner responded the Boy Scouts had cleared the area however the brush will need to be carried away and added the West Property is in good shape. Mr. Cook inquired about the erosion along the Brainerd Lake and the possibility of harm to the trees if the erosion continues. He requested the erosion issue be addressed prior to the Dam's retrofit. Mr. Weidner reported pictures were taken about a year ago however the Commission will go back again for more photos to track the erosion. Mr. Weidner reported there are approximately five (5) trees that will fall into the lake if the erosion is not checked. He stated measures will need to be taken, which will incur costs. Mr. Weidner stated the pictures from last year should be reviewed to see how quickly the erosion is progressing. Mr. Cook stated the ground is loose and the erosion should be discussed further before the Brainerd Lake Dam's repairs.

Mayor Cody inquired if Reinhardt North is part of the Park Planning Commission's responsibility. Mr. Weidner stated the West Property was looked at jointly by the Township and the Park Planning Commission and suggests the same arrangement be made to insure everyone is on the same page for Reinhardt North. Mayor Cody stated the property needs to be signed so residents know it is there and available to for public access. Mr. Weidner stated another good Scout project would be mapping out and marking the distances on the Boy Scout Trail so residents will know how far they are walking or running. He also reported the Park Planning Commission updated the guidelines for memorial gifts. In the past people would donate benches or trees in honor of someone who passed away, and a plaque would be placed at the site. The Park Planning Commission created a Memorial Book, and the Historical Society agreed to house the book at the History Center. The goal is to have small plaques identifying a memorial tree, and a memorial book in the History Center to contain additional information. This would avoid having large plaques which may look like gravestones instead of commemorative plaques. Mr. Mulligan wanted to clarify about moving the sign for the entrance of Village Park, and explained how visitors miss the entrance to the park and end up making unsafe turns on Bennett Place. If the old sign cannot be moved, a low-cost alternative would be to erect a smaller sign closer to the road identifying the Park's entrance. Mayor Cody inquired about the statuary information the Township Committee received in their packets. Mr. Weidner stated the Commission has recommended statuary be erected by Brainerd Lake in Village Park. The statue could be a focal point by the lake. Mr. Weidner stated he understands Township funds are low so the recommendation is the funds for the statue come in part from the Dossin Fund and perhaps the Golf Trophy Fund could fund the balance. Mr. Weidner Reported the statue would cost approximately \$4,500 in total, and the Dossin fund has agreed to contribute about \$2,000. The Park Planning Commission will inquire if the Golf Trophy Fund will cover the rest. Mr. Weidner stated before proceeding, the Commission would need to know if the Township is supportive of the statue. Mayor Cody stated if the Park Planning Commission received the funds for the statue, they would want to proceed with the Township's approval. Mr. Weidner confirmed that is correct. Mr. Cook asked how the location would be

TOWNSHIP COMMITTEE MEETING
April 25, 2011

Reports from Township Board and Commissions
Park Planning Commission (Continued)
Mr. Thomas Weidner, Chairperson (cont'd)

determined and asked how this particular sculpture was selected. Mr. Cook stated he like the vista of the lake being unobstructed. He asked how the location would be selected. Mr. Weidner responded the statue would be placed far enough from Brainerd Lake to be safe. Mr. Weidner stated Ms. Joan Smith, a member of the Park Planning Commission, could provide additional information. Ms. Smith stated the Commission had been talking about a statute in Village Park for many years. The vendor of this particular statue, located in New England, creates very unique statues and the prices are reasonable compared to other vendors. Ms. Smith explained that the price for shipping and installing statues from other vendors was more than the cost from this vendor. She said this statue was unique and hoped other statues could be added in the future. Mr. Cook stated the location of statue placement is important. He stated once the statue was installed, it would not be moved, and Ms. Smith replied the Commission would be sensitive to the placement. Mayor Cody requested some proposed sites be submitted for review by the Township Committee. Mr. Weidner suggested the Commission will come back before the Township Committee at a later date with proposed sites so the public may comment.

A discussion took place concerning making a motion concerning the Shadow Oaks easements. Mayor Cody stated the Township Committee received a lot of opposition on the easements and suggested a motion be made. Mr. Cook explained a straw poll vote was taken at the last meeting to give the residents present at the meeting the Township Committees' sentiments on the issue. Mr. Cook suggested allowing the Library do their presentation first and to hear comments during the easements at the "Public Portion" of the meeting. Mayor Cody suggested a vote be taken stating the Township Committee is not pursuing marking the Shadow Oaks easements. Mayor Cody stated he appreciated the work done by the Park Planning Commission, however, the Township Committee received a lot of opposition to the suggestion. Mayor Cody stated he is asking for a motion not to mark the easements at this point. Mr. Mulligan stated the Cranbury Public Library was next on the Agenda and should be allowed to give their presentation first. Mr. Johnson stated the discussion of the easements was not listed on the Agenda. Ms. Marabello asked Ms. Kathleen Cunningham, Clerk, if a formal motion had to be made about the easements. Ms. Cunningham stated a motion should be made to be part of the record. Mr. Weidner clarified there was nothing in his report requesting any action be taken on the easements. Mr. Weidner stated the annual Park Planning Commission report was merely listing the actions of the Commission during 2010. Ms. Cunningham clarified if Chairman Weidner was not requesting any formal action, a motion need not be made at this time and that the public will be allowed to comment during the "Public Portion" of the meeting. Residents in the room questioned why the easements were not listed on the Agenda, and Ms. Cunningham explained the easement discussion was never listed on the Agenda. She further explained, a resident sent out a communication via e-mail with erroneous information that the easements would be discussed. Mr. Cook stated the easements have been issue for some time and it sounds like it is a moot point. Mr. Weidner clarified the Park Planning Commission made its recommendation in December 2009, the public hearing was held in 2010 and, in addition, the Township Committee appointed a subcommittee. The subcommittee recommended the Shadow Oak easements be marked. Mr. Weidner stated the Commission is not withdrawing its recommendation to mark easements and this is part of its Annual Report. Mr. Taylor stated the Commission made a recommendation and the Township Committee took the easements out of the Park Planning Commissions' hands and appointed a subcommittee to review the easements and come back to the Township Committee with a recommendation. When the recommendation was made to the Township Committee, no action was taken. At the last meeting, Mr. Taylor stated, the Township Committee took a straw poll vote and the present members were not in favor of proceeding with marking the easements. At that point, there was no interest in continuing with the markings. The Township Committee decided to hear the Library Road Bridge presentation next and thanked Mr. Weidner for his report and the hard work and efforts of the Commission.

TOWNSHIP COMMITTEE MEETING
April 25, 2011

Reports from Township Board and Commissions
Library Board
Ms. Marilynn Mullen, Director

Ms. Marilynn Mullen, Director of the Cranbury Public Library, presented and discussed with the Township Committee its Annual Report. Ms. Mullen's report highlighted the many programs the Library offers to children and adults, including crafts, yoga, story hours and author meetings. Ms. Mullen stated many people come to the Library to use computers, check their e-mail or read magazines. Others bring their laptops to use the Wi-Fi or to draft and print resumes. Back issues of the Cranbury Press can be obtained now that they are digitized. Ms. Mullen reported Notary services are also provided. She stated many programs cannot be held in the Library because of lack of space. Programs can never be held during the day when school is in session, and there is a shortage of shelf space for books. New books cannot be bought until the space issue is resolved.

Ms. Patty Thomsson, Treasurer of the Library Board of Trustees, presented information about the Cranbury Public Library Foundation ("CPL" Foundation), a non-profit organization which supports fundraising for a new library facility. Some of the accomplishments of the Foundation include: forming a steering committee, establishing a campaign budget, writing donation guidelines, finalizing campaign goals and creating donor prospect lists. The CPL Foundation supports a new free standing Library because the current school/public library is not meeting divergent requirements and more space required for comprehensive resources and services. Evidence of the need of a new Library is supported by: programming limited by available space, groups turned away due to limited space, school restricts access during school hours, and resource acquisition impinged. The benefits of a new Library include: a welcoming community "living room" for all ages, encouraging reading & life-long learning outside of school, Cranburians will stay in town, sustaining small town feel and independence, and providing a proven enhancement to property value. Ms. Thomsson concluded her presentation by stating the excellent library staff, the committed Library Board of Trustees and CPL Foundation Board, and Cranbury residents can make the new Library a reality.

Ms. Kirstie Venanzi, President of the Library Board of Trustees, reviewed with the Township Committee current Library expenses as well as several scenarios of projected expenses of a free-standing library. Ms. Venanzi reported KSS Architects did the drawings pro bono and estimate the total cost of \$3.2 million to build and furnish the Library. Currently the Library has approximately \$500,000 in reserves and would need to raise \$2.7 million. The CPL Foundation would like to do this for the Township. Ms. Venanzi reported receiving a favorable response from residents in the Township. She reported the new library would have very flexible space which could be utilized by the Town. The Group Room would be a separate so groups could use the space after hours.

Ms. Connie Bauder, Petty Road, stated the land set aside for the Library was originally designated for a library/senior center. She stated the space cannot be shared as senior space is designated as separate. Ms. Mullen, Library Director, is a member of the Human Services Board, and she stated the Board is in favor of the new space. She stated the current space has no help for seniors, and the new library would be able to accommodate and assist seniors. Ms. Mullen reported seniors cannot currently hold programs in the Library. With the new space, staff would be available to assist. Ms. Bauder stated many seniors are not interested in coming to the current Senior Center in the basement. Ms. Mullen stated the Library can work with the Senior Center to have space dedicated to seniors. She stated due to budgetary reasons, however, there is no person dedicated to running the Senior Center. Mayor Cody thanked Ms. Mullen, Ms. Thomsson and Ms. Venanzi for their presentations.

TOWNSHIP COMMITTEE MEETING
April 25, 2011

Public Comment

The Mayor opened the meeting to public questions and comment:

Mr. Bob Dillon, Hightstown-Cranbury Station Road, stated his concern about the information on the Riparian Ordinance from the Department of Environmental Protection to the Middlesex County Planning Board. He stated the Cranbury Township Planning Board was not aware of the mandated Ordinance. Mr. Dillon stated Middlesex County can make recommendations to Cranbury Township. He stated any DEP correspondence contains wording on the bottom of the page that permits or approvals from the local Township are not excluded. Mr. Dillon stated he believes the DEP has no jurisdiction over the Township to comply. Cranbury Township was built on the recommendations of the Planning Board. Mayor Cody stated the Township Committee referred both Ordinances to the Environmental Commission and the Planning Board for their feedback before voting on the Ordinances. Mr. Dillon suggested the Township have more legal and engineering information when these types of issues are addressed. Ms. Marabello stated the Township Attorney and Engineer will be present at the May 9th meeting when the Township Committee is looking to adopt the Ordinances. Ms. Marabello stated the Township Attorney and the Planning Board Attorney have been in touch and understand what needs to be done. Mr. Mulligan explained the reason for the first vote to introduce the Ordinances was to be on record with the County as introducing the Ordinances and the Township is in the process of reviewing them. He added the Township Committee is not in any way close to making a decision on these two (2) Ordinances.

Ms. Kathy Easton, Prospect Street, thanked the subcommittee for its hard work looking at Township easements. She supports marking the easements with a green dot or two (2) on the sidewalks to identify the easements. Ms. Easton has been birding in town for 30 years and did not know there were 46 acres of riparian habitat along the Millstone River. For over 12 years, she has been a stream walker on the Upper Millstone River and does visual assessment of the river four (4) to six (6) times a year. She was not aware she could access the acreage. She performs the water quality monitoring for Stony Brook Watershed and stressed the importance of monitoring the Township's streams. Ms. Easton stated she is grateful to the Easement subcommittee for bringing this to the public. She stated over the past week, 178 signatures were collected on a petition which includes a good cross section of Cranbury residents. Ms. Easton presented the petition to the Township Committee.

Mr. Nicholas Kadar, Jackson Court, questioned who supported the marking of the easements and inquired if this was just an idea of someone on the Park Planning Commission. Mr. Kadar stated the petition just submitted by Ms. Easton was an after-the-fact attempt to vindicate or justify marking the easements. He stated the property is impassable in the summer, and if there is an interest to walk the area, a less intrusive way would be to have maps available showing the easements. He stated there is no reason to mark the easements.

Mr. Evan Janovitz, Washington Drive, resubmitted the petition asking the Township Committee to deny marking the walkway easements. He stated the residents are not talking about marking easements, but are talking about walking across private property. The easements are next to private property and within a few feet of private driveways. He stated Shadow Oaks residents did not cause this controversy, but the recommendation to mark the easements was an idea of the Park Planning Commission and brought forward by the Easement subcommittee. Mr. Janovitz stated the easements are on top of drainage grids to access for repairs. Mr. Janovitz stated the drainage easements are already marked. If repairs need to be made to the drainage system, adjoining property owners are contacted as a matter of courtesy and respect for the homeowners. Mr. Janovitz stated Shadow Oaks homeowners were not contacted by the Township about the marking of easements. He stated he didn't care what signatures are obtained to use the easements, property owners should be notified who is on their property.

TOWNSHIP COMMITTEE MEETING
April 25, 2011

Public Comment (Continued)

Mr. Bill Schraudenbach, Wynnewood Drive, stated he wanted to address the issue of procedures. He stated there is a problem when procedure is not followed exactly. He reported he was not at the April 11th meeting, and understood what was reported in the paper was not completely accurate. Mr. Schraudenbach stated the residents have the right to comment about anything during Public Comment, but for the Township Committee to take action on an item not on the Agenda is a disaster. He stated from being on many committees, he has never seen anything good come from a straw-poll vote. He stated he believed the Township Committee held the straw-poll vote at the April 11th meeting for all the right reasons to calm the situation down, but it caused paranoia. Likewise, he stated, holding a vote on a non-Agenda item this evening would cause a nightmare. If the Township Committee wants to hold a vote, the item should be listed on the Agenda so residents can be present to comment first. He stated residents feel they must attend every meeting because they are worried someone on the other side would try to sneak something by. Mr. Schraudenbach suggested procedure be carefully followed in the future to avoid conflict. Residents would then only come to meetings when items of interest to them are on the Agenda.

Patty Janovitz, Washington Drive, stated Shadow Oaks residents are living watching their backs. At the June 14, 2010 meeting, very few residents were aware of the issue, and she requested letters be sent to Shadow Oaks residents if the issue were to come up again. She was told it was a courtesy to send a letter, and the Township did not have the money to send letters to all residents. Ms. Janovitz wants reassurance that if the issue were to come up again, all residents in Shadow Oaks receive letters. She stated she was at tonight's meeting, along with other residents, because they understood the issue was being addressed again. She did not feel there was closure at the April 11th meeting. She stated some of her neighbors received an e-mail from Mr. Johnson which stated, "I am willing to leave the easements unmarked for the time being as long as I am convinced that those who are dead set against marking the easements are actively looking for an alternative that serves the interest of the entire community." Ms. Janovitz stated she does not have peace of mind. She wanted to remind the public just how hard some residents worked on this issue and how difficult it has been. She said at the June 14, 2010 meeting, residents had not been notified, yet Mayor Stout recommended the Park Planning Commission and Mr. Taylor get together with the residents at Shadow Oaks to discuss this issue. At that time, Mr. Cody and Mr. Taylor offered to be on the Easement subcommittee. Ms. Janovitz quoted from minutes from several past meetings and commented procedures were not followed. She stated the subcommittee originally was to consist of two (2) homeowners with easements, two (2) homeowners adjacent to easements, two (2) Shadow Oaks residents without easements, two (2) members from the Park Planning Commission and two (2) members from other areas of town, with Mr. Taylor and Mr. Cody also sitting on the subcommittee. Later, it was decided a more diverse subcommittee be formed, and Mr. Taylor agreed to appoint the subcommittee. Ms. Janovitz stated it is awful the people who are spearheading marking the easements get to choose the membership of the subcommittee. Reading from the September 8th 2010 minutes of the Park Planning Commission, Ms. Janovitz listed the members selected for the subcommittee, and commented the person asking for the easements was appointed chairman of the subcommittee and would get to control the meetings and what would be included in the minutes. She stated Kristen Hamilton took notes at every meeting, but she felt Mr. Weidner had control of the wording in the minutes. Ms. Janovitz stated she hoped this type of railroading would never happen again because it is shameful. She stressed again her request if the easement issue comes up again the residents of Shadow Oaks will be notified. She commented to Mr. Johnson the good of the community is not to have the easements marked and have their private property respected. The residents of Shadow Oaks are upset and she asked the Township Committee to give the residents peace of mind.

Mr. Taylor responded to Ms. Janovitz's comments stating his ethics were called into question. He stated in terms of the subcommittee makeup, the original goal was to look at just Shadow Oaks

TOWNSHIP COMMITTEE MEETING
April 25, 2011

Public Comment (Continued)
Mr. Taylor (cont'd)

easements. The Township Committee then felt, in response to the Shadow Oaks' residents, it was unfair to look not only at Shadow Oaks easements but at all easements in the Township. Mr. Taylor stated the Township cannot have a subcommittee having only Shadow Oaks residents looking at every area of the Township. It was decided to create a subcommittee to look at all the easements in Town, and weighted the subcommittee with two (2) residents of Shadow Oaks, and one (1) resident from each other area in town: Brian Schilling for North Main Street, Anna Drago for the Village Park area, and Chris Parker for the Unami Woods area. Shadow Oaks was the only area with two (2) residents representing Shadow Oaks. To address the railroading, Mr. Taylor stated Shadow Oaks was given two (2) members. Mr. Taylor then addressed the intent and stated when residents purchase property, the easements were already there. The easements were set up by the Planning Board when the development was first built. If a resident was going to be concerned about the easement, he/she should not buy a property with an easement and look at another property. A resident cannot buy a property with an easement and then say nobody can use the easement. Mr. Taylor stated marking the easement is another issue. Using the easement is a right everyone in the Township has. The Township does not have to mark the easements and can make the information accessible by the website or maps, but the easements were intended for residents to access the open space. The easements were set up and there are comments in the 1980 Planning Board minutes about possibly constructing cement walkways to the open space. It has been very clear since 1980 the easements were walking easements.

Mayor Cody stated the Park Planning Commission with all good intentions suggested marking the easements, and stated the Township Committee does not have to take action. The issue can remain status quo without any action. Mayor Cody stated he was not sure any member of the Township Committee wanted to take action, but could leave it as is. He acknowledged the tremendous work done on both sides, and appreciated the work of the Park Planning Commission. Mayor Cody stated it is time to move on as many meetings have been held, a lot of time has been spent on this issue and the Township needs to move on to other business.

Mr. Brian Schilling, Holmes Road, addressed Ms. Janovitz, stating he took personal exception to her comments. He stated he did not appreciate any public policy discussions becoming personal. He clarified he did not serve on the subcommittee to represent one area of town, but stated as a university professor and being very knowledgeable of land use and agricultural policy, he brought subject matter expertise to the table, and was in no way a political appointment. Mr. Schilling stated to Ms. Janovitz to suggest in any way Mr. Weidner was railroading the members of the subcommittee to make decisions is absurd. Mr. Schilling stated he sits on various committees and boards and for Ms. Janovitz to attack his character is crossing the line and inappropriate. Mr. Schilling stated there is a public forum where it is being suggested Mr. Weidner picked him to serve on the subcommittee. Mr. Schilling had not met Mr. Weidner before serving on the subcommittee. Mr. Schilling stated he and Mr. Weidner at times have had healthy debates on issues they did not agree on however, were able to come to mutual agreements. Mr. Schilling stated, for the record, Mr. Weidner did not railroad any members on the subcommittee.

Ms. Janet Crow, Washington Drive, asked if the Township Committee decides to take action on this issue, would the residents of Shadow Oaks be notified. Ms. Crow stated she does not want to keep coming to meetings. Mayor Cody stated the current Township Committee does not want to take action, but would recommend to any future Township Committee the item be put on the A Agenda and letters be sent to notify the affected residents. Mr. Taylor asked for clarification of "affected" residents. Mayor Cody stated the not just the residents adjacent to the easements, but in the neighborhood. Dave Mauger, Griggs Road, stated all residents would need to be notified. He stated he does not support marking the easements, but objects to hearing the volunteers of Cranbury who are the heart and soul of the Township getting derided for simply serving on committees and trying their best to do their job. Mr. Mauger stated if the Township is going to notify residents of a change to public lands, then the Township will need to notify every resident in

TOWNSHIP COMMITTEE MEETING
April 25, 2011

Public Comment (Continued)

the Township. Mr. Mauger stated there is a process where information is available in the Cranbury Press, on the website and on the agenda. Mr. Mauger stated Ms. Cunningham, Clerk, does her job very well in posting items on the Township's web site and making information available to the public.

Mr. Richard Kallan, Wynnewood Drive, stated a few years ago he spent time with the Township's Tax Assessor and listed every easement in the Township. Mr. Kallan stated Mr. Weidner had contacted him asking him if his list contained all the easements in the Township. Mr. Kallan stated he came to the conclusion from that discussion and subsequent discussions that Mr. Weidner was trying to investigate easements in the fairest possible way. For residents complaining they didn't know about a topic, Mr. Kallan suggested residents read the Agenda. He stated he has been coming to Township Committee meetings for 35 years and stated many residents in the room have never come to meetings. Mr. Kallan stated residents must read the Cranbury Press or Township Committee Agendas and come to the meetings to see what is going on in the Township and should not expect to be treated with silver spoons. Mr. Kallan added, it is wrong for residents to personally attack others who volunteer.

Mr. Jerry Hanson, Washington Drive, stated he came before the Township Committee previously concerning this issue and is here again to speak to the Committee and the public. Mr. Hanson stated he hears a lot of emotion in the room. He reported he has lived in his home since 1990 and stated if Township residents want to walk the property they are welcome to do so however, the residents' properties should be respected. Mr. Hanson stated he is not trying to offend anyone or is not criticizing Mr. Weidner. Mr. Hanson stated he wants the Township Committee and public to understand why Shadow Oaks disagrees with the marking of easements. He requested people not be invited to walk on their property.

Ms. Kim Kenny, Washington Drive, stated she is very sorry how the Township cannot come together on this issue. Ms. Kenny commended Ms. Janovitz on her efforts and believes Ms. Janovitz did feel railroaded. Ms. Kenny stated she is upset at having people trample through her yard. She stated she did not sit on the subcommittee, but has heard from both sides on the issue. She stated it is not an issue of who owns the easements, but an issue of privacy. Ms. Kenny stated she could go out and get signatures, but doesn't have the time, effort or manpower to get signatures. She stated she does not come to the meetings, but does pay taxes. She stated for the third time a person was on their property taking pictures, and her family was upset again. Ms. Kenny stated it would be very difficult to get fire or EMT services back to the property should there be an emergency. She requested Shadow Oaks privacy be respected.

Mr. Fran McGovern, Washington Drive, stated he knew about the easements and the public area behind his home when he purchased his house.

Mr. McGovern spoke of his concern with the proposed Riparian Ordinance and stated he has a serious problem with the Ordinance. He stated he was at the Environmental Commission meeting last week and believed the Ordinance was created and lobbied through by the Watershed organization, and felt the Environment Commission members were deferring to a representative of the Watershed. Mr. McGovern stated residents have lived in their homes and had property rights for over 30 years, and laws are being proposed to be passed today to apply to these properties. He stated he does understand how far the regulations go. He stated he felt the Environment Commission did not know the impact of the Ordinance on such items as cutting trees down, putting up sheds, etc. Mr. McGovern stated the regulations are substantial and some Board members may not have the expertise to interpret these Ordinances. Mr. McGovern stated once the Ordinance is passed, there are exceptions to the Ordinance, but the burden to obtain an exception for the Ordinance is upon the homeowners. The homeowners will need to hire an

TOWNSHIP COMMITTEE MEETING
April 25, 2011

Public Comment (Continued)
Mr. Fran McGovern (cont'd)

engineer, architect, attorney, etc. and pay the costs incurred. Mr. McGovern stated he received a letter about the riparian easement and didn't realize until he went to the Environmental Commission meeting not everyone in the Township had received the letter. It was addressed to "Property Owner" and Mr. McGovern believes the letters should have been sent to everyone in the Township.

On a separate issue, Mr. McGovern commended the Township Committee for working through the Capital Ordinances. He stated it was a difficult issue, but was glad they persisted to work through the issue.

Mr. McGovern stated he did not understand why a tax sale certificate would be sold at a private sale. He thought tax sale certificates would be sold at public sale at an auction-type forum. Ms. Marabello clarified the sale can be public, but by statute can also be sold at a private sale. He realized the amount is small and is not saying it is right or wrong, but is asking for the rationale for having a private sale. It is his understanding tax sale certificates are competitively bid. Ms. Marabello stated she is not a tax collector, but stated Elaine Fortin, Cranbury Tax Collector, recommended it because it is a municipally-owned lien. The Township already owns the lien and rather than close on it and incurring the costs to do that, there is someone who approached the Township saying they were willing to take the lien from the Township. This would save the Township the money from having to foreclose on the lien.

As a final item, Mr. McGovern stated, when the Riparian Ordinance was discussed at the last meeting; Mr. Cook stated there was a concern about recusal because he lives on Brainerd Lake. Mr. McGovern believes Mr. Cook does not need to recuse himself because the issue applies to more than Mr. Cook. Concerning previous comments about procedure and the inclination for unanimity, Mr. McGovern stated it is acceptable to vote "no" and does not like the idea of regulations being forced on the Township, either by the County of Middlesex or the State of New Jersey. He stated these meetings were the place for the Township to hash out issues.

Ms. Patty Janovitz stated she was sorry for offending anybody in the room and she hoped lessons could be learned. She stated she still feels strongly about not marking the easements.

Ms. Joanne Hanson, Washington Drive, stated she felt the Township Committee needed to figure out the intent of the builder to label the drainage walkways. She was aware there was an easement but thought it was a walkway for access to maintain the drainage system. Mrs. Hanson brought photos of the area and easement to show to the Township Committee. The photos were taken that day and depicted the drain pipes, overgrown trail, trash and old farming equipment, making it an unsafe area to walk. Ms. Hanson stated there is no reason to walk back there unless to check drainage. She stated the area is very wet. If the easements are marked, would the Township clear the vegetation to make the area accessible, and would the grass be maintained? Would Public Works clear the debris and fallen branches and trees? She stated the Township Committee would need to assess the costs associated with maintaining the area. Ms. Hanson stated the land actually could not be cleared because the area is considered "wetlands."

Mr. Thomas Weidner, Chairman of the Park Planning Commission, stated no action was going to be taken on marking the easements, but wanted to address the misunderstandings on the subject. Mr. Weidner reported the easement issue started in the 2007 Open Space and Recreation element of the Master Plan, which recommended the Township create greenways along the Township's streams and to purchase lands where no easements existed. The goal was the long-term realization of the greenway plan would involve acquisition of land or easements which allow public access along the entire length of the greenway corridor. Mr. Weidner stated the plan also noted "it would be useful for the Township to identify easements the Township currently possesses to inform citizens where they exist for the common use and enjoyment of the

TOWNSHIP COMMITTEE MEETING
April 25, 2011

Public Comment (Continued)
Mr. Thomas Weidner, Chairman
Parks Commission (cont'd)

Community.” He stated this quote comes not from the Parks Commission or Subcommittee, but comes from an element of the Master Plan, that was adopted after substantial public comment four (4) years ago. Mr. Weidner reported the subcommittee looked at 15 easements in the Township and Shadow Oaks was one of those areas. With respect to the Shadow Oaks area, the subcommittee believes “the 46 acres along the Millstone River lying adjacent to a number of Shadow Oaks homes should be marked with the proviso that such action is not predicated on the development of trails. It is believed this property is best left in an unimproved natural state and managed as a resource for the local community. We believe the easements should be marked but it is not anticipated or intended the easements will be as well used as the West or Reinhardt properties.” Mr. Weidner stated the other emphasis is the easements exist today and have existed for 30 years. No one is changing anyone’s legal rights. It is not unusual to have people own land adjacent to open space or parks, such as Heritage Park, Village Park and Millstone Park. Mr. Weidner stated the usage may increase on the easements in Shadow Oaks, but it is not envisioned it will increase very much. Currently residents do not know where the easements are in Shadow Oaks and are walking on private property. If residents look at past Planning Board resolutions and minutes, it is clear the easements are public access to public land. Mr. Weidner stated if the walkway part of the “drainage and walkway easements” label is only to provide access to people who deal with the drainage easement, the Township is in a lot of trouble as there are many drainage easements that just say drainage easements. That would mean people who need to work on the drainage would not have access to walk on the easements. He stated this is not an interpretation the Township Committee would want to initiate to satisfy some other demand. Lastly, Mr. Weidner thanked Mr. Schilling for his comments and stated this issue has become personal and it should not be personal. He stated he understands why the Shadow Oaks residents would rather not have these easements marked, but as the Chair of the Park Planning Commission and Chair of the Subcommittee, stated there are property rights at stake. Each one of these five (5) properties have easements to the 46 acres the residents of Cranbury have a right to access. The public has a property right. Residents who live in this town did not know about those 46 acres. Mr. Weidner stated reasonable people can work this out and stated his personal opinion is this cannot be a private preserve to the residents who live next to the 46 acres. There must be some consideration and accommodation to the public’s right to use that open space because there is a legal deed that gives them that right. Reasonable people should be able to sit down and work this out and not have the divisiveness, name calling and personal attacks seen tonight. Mr. Weidner stated this is Cranbury, and residents should not be acting this way. He said this is not that big a problem, but it has become a big problem and it needs to come to a resolution which recognizes everybody’s interests equally.

Ms. Stephanie Lalli, Washington Drive, states she has an easement on her property. She knew there was an easement when they bought the property and for 27 years have no problem with people walking on it. As Ms. Hanson stated previously, Ms. Lalli stated at the back of the easement there is a giant drainage pipe. Mostly children use the easement to get back to the river. She stated the easement was not meant for people go walk on. Ms. Lalli stated the river is 18 feet deep and is not really a place children should be allowed to roam around, drink, or ice skate. Ms. Lalli stated her concern is if the easements are advertised, more people will walk it. She inquired how the easements will be marked in the front and back. Most of the property is brambles. She stated again she never had a problem with this, but is concerned about the exits from the area and would like to see the 46 acres defined. She stated she is sorry the issue has become divisive, but requested the Township Committee to be careful if considering advertising the area.

Mr. Regina Gallagher, Washington Drive, stated she appreciates the time and efforts of the Park Planning Commission and stated she lives next to an easement. She stated there is no way to know where private property is and also questioned how the easements would be marked. She

TOWNSHIP COMMITTEE MEETING
April 25, 2011

Public Comment (Continued)
Parks Commission (cont'd)

stated people are bound to inadvertently trespass. She stated her concern about legal and practical issues.

Ms. Elizabeth Silverman, North Main Street, stated she has lived in Cranbury for 25 years and did not know the Township owned the 46 acres and did not know there was a way to access the property. She stated she was a Girl Scout leader for two troops over 16 years and would have utilized the area. She stated she would like to commend the Township Committee for responding to the Master Plan and to commend the Park Planning Commission and Subcommittee for all the work they did. She stated she is bothered, given the recommendation was made, the issue is just being dropped. She stated the practical issues could be worked out, and while she understands the residents concerns, she cannot understand how a green dot on a curb is an advertisement. Ms. Silverman stated she cannot imagine many people accessing the open space, and the problems could be worked out. She stated it is time to move forward and find a solution acceptable to everybody.

Ms. Janet Crowe, Washington Drive, stated she is not on an easement, but is concerned about practical issues of marking the property. She stated it is a great place for everybody to enjoy, but encouraged thinking about how to properly mark the area. She asked the Township Committee consider the people accessing and using the property who may be walking across properties that do not have easements.

Mr. Dee Wahlers, Hagerty Lane, stated he was on the Planning Board when Shadow Oaks was approved. He stated he wanted the Township Committee to know one reason for approving the easements was for all the citizens of Cranbury to have access to that property. It was also specified at that time some type of planting would mark where people should and should not walk, and over the years those plantings have disappeared. It was the intent of the Planning Board to have the easements marked so people would stay within the area. Mr. Wahlers stated if the Township wants to solve the problem, plantings should be put in so people know where to walk.

Ms. Regina Gallagher, Washington Drive, inquired why the area could not be accessed from Old Cranbury Road. Mr. Taylor reported there were three (3) or four (4) articles in the Cranbury Press, and if interest was not peaked after the articles, he believes there will not be a lot of activity or use of the area. Mr. Taylor stated the Planning Board had lengthy discussions over this issue and there was no internet back then. He suggested instead of physically marking the property, residents use the Township website for information on how to access the area. Mayor Cody stated residents in the Township do know about the easements now. Mayor Cody stated at this point the Township Committee is not taking any action. Mr. Cook reported it was not the Township Committee's intent to make policy through the newspaper. Unfortunately the article was incorrect as a straw poll is not a vote. The idea was to give an indicator of the Township Committee's feelings on the subject. He agreed having a map or web-driven indication of the location of the easements is a good idea. Mr. Cook's personal opinion is to leave the issue alone and not physically marking the area. Mr. Mulligan reported he walked all the easements and stated he is not in favor of marking the easements. The issue has become too controversial. Mr. Mulligan clarified the public has a right to walk on the easements to access the 46 acres. He stated information is on the website or a map could be handed out at Town Hall. He stated the Township website is being revamped. The information is not easy to find on the web site, but information will be printed out for residents.

Ms. Norma Swale, Ryan Road, stated she has lived in Cranbury for 37 years and did not know the area was there. She stated she does not want to access a computer to find the information

TOWNSHIP COMMITTEE MEETING
April 25, 2011

Public Comment (Continued)
Parks Commission (cont'd)

and requested printed info be available. She believes the easements should be marked with a green dot or some type of small indicator. Mr. Dave Mauger, Griggs Road, stated this is not his issue. He stated he appreciate the Township Committee wanting to respect the Shadow Oaks residents who would be most impacted by the change. He stated he feels strongly residents should be considered. He stated he feels a map on the internet is worse than a dot on the sidewalk. In the interest of moving forward, Mr. Mauger suggested people work together on what will happen next. There being no further public comment, Mayor Cody asked for a motion to adjourn the meeting.

On motion by Mr. Taylor, seconded by Mr. Cook and unanimously carried, the meeting adjourned at 11:20 p.m.

Jean Golisano, Deputy Clerk