

TOWNSHIP COMMITTEE MEETING
May 9, 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, Daniel Mulligan, Jay Taylor, and Mayor Win Cody. Glenn Johnson arrived at 7:03 p.m. Also present were Denise Marabello, Township Administrator/Director of Finance; Michael W. Herbert, Esq., Township Attorney; Bill Tanner, Township Engineer; Kathleen R. Cunningham, Clerk/Assistant Administrator, 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.

Mayor Cody stated Cranbury Township lost several special people over the last couple of weeks. Mayor Cody recognized the loss of Emma Brunskill, a fine young woman who was active in sports, the 4-H and raising guide dogs; Mr. Jim Cardinale, a custodian at the Cranbury School for many years; Mr. John Frisch, a long-time Cranbury resident who was involved in the Presbyterian Church; and Mr. Don Jo Swanagan, who served on various Township committees including Planning, Zoning and HPC and was involved with the renovation of Town Hall. Mayor Cody asked those present to recognize these individuals with a moment of silence.

Regular Township Committee Minutes of April 25, 2011

On motion by Mr. Taylor, seconded by Mr. Mulligan and unanimously carried, the Regular Township Committee Minutes of April 25, 2011 were adopted.

Closed Session Committee Minutes of April 25, 2011

On motion by Mr. Cook, seconded by Mr. Johnson, and unanimously carried, the Closed Session Township Committee Minutes of April 25, 2011 were adopted.

Reports and Communications

-- Mayor

Mayor Cody had no reports this evening.

-- Township Committee

Mr. Taylor reported he had just received the Pubic Works report and did not have a chance to review some of the items. As of April, vehicle repairs amounted to \$3,446.35. Truck 505 (2008 Ford Mason Dump Truck) required steering repairs, and pump belts were replaced. Three manhole castings and lids were replaced at a cost of \$1,480. Mr. Taylor also reported brush pickup is the third Wednesday of the month, and he requested Ms. Kathleen Cunningham, Municipal Clerk, to post a reminder each month on the website the week before pickup so residents are aware of the pickup date. Mr. Taylor reported 25 tons of infield mix was purchased for the new regulation field at a cost of \$1,800, and dead azaleas and rhododendrons

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

were replaced in Memorial Park at a cost of \$134.00. Mayor Cody asked why the grass in front of Heritage was not mowed. Mr. Taylor stated it was a question he was going to ask Public Works, but Ms. Marabello, Township Administrator confirmed it was not mowed because of the crocus flowers. Usually some time is allowed after the crocus blooms die off before the grass is mowed.

Mr. Taylor stated tomorrow he and Chief Rickey Varga will be playing golf at the Middlesex County Police Chief's Association Golf Outing for a charitable cause, and stated "for the record" to know he and Chief Varga are paying for the outing out of their own personal funds. Mr. Taylor reported there will be a campout on Friday, June 10th, and on June 11th there will be a dedication of a memorial monument to the Civil War soldiers of the 14th Infantry. Children are invited to come Friday evening to see the tents and costumes of the Civil War period. Unfortunately, Mayor Cody will be unable to attend, but Mr. Taylor will represent the Township.

Mr. Taylor reported the discussion on energy tax receipts is before the Supreme Court and the impetus is State aid will be an issue if the ruling is not favorable to the Governor. Last year the League of Municipalities put out a resolution asking municipalities to adopt supporting State aid. Recently there was a letter from the New Jersey State League of Municipalities (NJSLOM) asking for townships to adopt a new resolution. (Governor Christie was just on New Jersey Network stating he needed support from local towns stating they wanted State aid so he had the ammunition.) Mr. Taylor stated he thought it would be worthwhile for the Township Committee to discuss, and he requested Ms. Cunningham, Municipal Clerk, to obtain the Mayor's letter from the League of Municipalities. Mr. Taylor reported East Windsor Township adopted a resolution, which he thought was harsh, but there is a request for Townships to adopt a NJSLOM resolution and he thought the issue should be re-addressed. Mr. Cook confirmed the reason for the resolution was to allow municipalities to have more discretion and involvement with how the credits are spent. Mr. Taylor clarified the resolution is asking the State to honor the Constitution of New Jersey. Over a hundred municipalities have signed the resolution, including East Windsor and Robbinsville. Mr. Mulligan explained he finds it interesting energy tax receipts are rolled into State aid, and reported it really is not State aid; however, it is money due to the Township. The money comes out of Cranbury and should come back to the Township. Over time, Mr. Mulligan stated, the State has been using the funds to fill in its budget gaps. Mr. Mulligan stated he watched Janice Mironov's Mayor's Message on the New League of Municipalities' website and the estimate is approximately 17% of energy receipt dollars are currently kept by the State. For Cranbury, this amounts to approximately \$50,000 to \$60,000. Mayor Cody inquired if Mr. Taylor wants this addressed at the next Township Committee Meeting, and Mr. Taylor indicated he does.

Mr. Taylor reported the Fire, Office of Emergency Management meeting will take place the week of May 16th or May 23rd. The date has not been confirmed yet because the meeting will be scheduled in the evening when Patrolman Todd Gallo, the Township's representative, is on duty so overtime costs are not incurred.

Mr. Mulligan reported the Township received a letter from Mr. Charles Gallagher, Hightstown-Cranbury Road addressing the Turnpike-widening project and how it is negatively impacting the residents on Brickyard Road. Mr. Mulligan visited Mr. Gallagher last week to assess the situation and reported since removing the trees, the Turnpike is now much closer to the homes. Mr. Mulligan asked the Township Committee to support the residents there as much as possible by writing letters and speaking to State senators, and he reported Mr. Cook also visited Mr. Gallagher. Mr. Mulligan stated he knows the Township Committee is limited in what it can do, however, requested the Township Committee look at how it can help, including having the Township Attorney draft a letter to the Turnpike Authority. Mr. Taylor asked Mr. Herbert, Township Attorney, if he has any suggestions. Mr. Herbert reported he represents municipalities

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Township Committee (continued)

located along the Turnpike and stated he was familiar with the location being addressed. Mr. Herbert reported the Turnpike is represented by a law firm in Teaneck, and he said he would be glad to look into the situation for the Township. Mr. Cook stated Mr. Gallagher is in the audience and also stated Senator Greenstein is aware of the problem and has visited the site. Mr. Herbert stated Senator Greenstein has been very supportive of all the municipalities impacted by the Turnpike-widening project. Mr. Cook suggested something be coordinated through Senator Greenstein's office. Ms. Cunningham, Municipal Clerk, stated she had contacted Senator Greenstein's office, and Senator Greenstein stated she would get involved. Ms. Marabello, Township Administrator, stated the police were out on Hightstown-Cranbury Station Road earlier today because there were tree-trimming trucks blocking the road. Sergeant DiChiara advised the contractor it is unacceptable to block the road with no access in or out. The contractor was warned the road cannot be blocked and if the police find the road blocked again, the project will be shut down. The police will continue to assess the situation. Mr. Cook estimated there are eight (8) to ten (10) homes affected. Mr. Taylor reported there were barriers constructed in Monroe and East Windsor, but Cranbury was skipped over. Mr. Cook stated Robbinsville would be receiving barrier walls also. Mr. Mulligan stated safety is the issue and a wall or barrier is needed. Mr. Cook reported earlier this year a truck did crash. The truck came through the tree line behind Mr. Gallagher's home, and the driver was killed. Those trees have been removed so there is no protection between Mr. Gallagher's home and the Turnpike.

Mr. Mulligan reported he spoke with another resident who stated their concern over broken down motorists knocking at their doors because there is no barrier to stop them. Mr. Herbert stated in reviewing the plans, the very minimum required is barriers which will stop trucks and fencing that will stop people from climbing over to private property. Mr. Herbert knows the Turnpike Authority is at least doing that. Mr. Herbert stated he is sure Mr. Gallagher would be happier with a barrier. Mr. Herbert stated Allentown lobbied for a wall and is receiving one. He stated Senator Benson and Senator DeAngelo would support Cranbury's efforts. Mr. Herbert stated it is a good time to ask for barriers and Senator Greenstein's office is a good avenue to start.

Mr. Cook stated he and Mr. Johnson went to Cranbury Village Park to view possible sites for the statuary suggested by the Park Planning Commission. In addition, they examined the erosion, which they estimate to be about 5 (five) feet. Mr. Cook stated after lengthy discussion during the meeting and consideration after the meeting, he personally feels the current view of Brainerd Lake from Village Park is unique and unlike the other parks in the Township. Mr. Cook stated this statuary would be the first placed by the lake, and he was not in favor of the location. He suggested instead placing a statuary at Heritage Park near Judy Dossin Meadow. To look ahead, additional statuary could be placed there making it a statuary garden. He stated he preferred the Heritage Park location rather than changing the landscape by the water in Village Park. Mr. Cook requested Mr. Johnson and other Township Committee members to give their thoughts on the statuary in Village Park.

Mr. Johnson stated he was glad the location for the statuary was in a grove of trees further down from the Gazebo as he had originally pictured the statuary near the Gazebo. He stated he felt it would have been too noticeable there and stated the view should be unobstructed. Mr. Johnson stated he had no real feelings for this particular statuary, and stated this could not be decided by the Township Committee. He said the Park Planning Commission had reviewed statuary and picked this particular statue. Mr. Johnson stated he is not familiar with the Meadow Mr. Cook referred to but stated it might be an alternative site to consider.

Mr. Mulligan stated not the only first piece must be considered, but additional pieces and the space available must also be considered. Mr. Mulligan stated large events, such as fireworks and Cranstock, are held at Village Park and it might be beneficial to keep the Village Park area open. He suggested selecting an area which could grow in time and stated he was open to Dossin's Meadow or other sites. He stated Heritage Park has a walkway around the park, which

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Township Committee (continued)

would be nice, but stated all options must be considered before placing a piece of artwork in the Township.

Mr. Taylor asked if the Park Planning Commission's goal is to acquire one piece of art or more over the long term. If the intent is to acquire multiple pieces, he suggested having an area with a sculpture garden. He stated he liked the location of Judy Dossin's Meadow as part of the sculpture would be funded by the Judy Dossin Trust. Mr. Taylor stated his opinion is not firm because he is not sure of the long-term intent of the Park Planning Commission.

Mayor Cody stated he believed none of the Township Committee members wanted to block the vista of Brainerd Lake so he suggested asking the Park Planning Commission and the Arts Council to come back to the Township Committee with a plan of intent and alternative sites. Mr. Taylor stated he would be happy to bring Mayor Cody's suggestion to the next Parks meeting this week.

Subcommittees

Mr. Taylor stated at the last meeting he brought up the sewer fair share and a number of residents have asked about the status. Mr. Cook reported he and Mr. Bill Tanner, Township Engineer, have re-visited the issue. The sewer fair share will have to be assessed. Mr. Tanner reported the issue concerns the water issue and the lack of competent records by New Jersey American Water Company. He stated two (2) or three (3) different people (Greg Farrington, Construction Official; Joe Williams, Sewer Superintendent; and Hatch Mott MacDonald, Township Engineers) have examined the water meters. The meters are either not being read correctly or are not installed in the right place. Mr. Tanner suggested coming up with a list of the problems and the process to go forward for a resolution. Mr. Taylor asked for a timeline, and Mayor Cody responded there is a subcommittee already in place to deal with the issue. Mr. Taylor stated there a number of residents questioning him. Mayor Cody stated he and Mr. Cook are on the subcommittee and will meet to discuss the issue.

Agenda Changes/Additions

Ms. Cunningham, Clerk/Assistant Administrator, announced the following three (3) changes to the agenda: Resolution # R 05-11-065 – Authorizing the Refund of Overpayment of Property Taxes for Block 20, Lot 10.78 is being removed at the request of the Tax Collector; Resolution # R 05-11-066 - Closed Session to discuss the update on upcoming F.O.P. #68 Contract Negotiations is being removed from the agenda and will be addressed at the May 23rd meeting; and a resolution is being added to award a bid for the contract for the municipal soccer field irrigation system to National Lawn Sprinklers, White Plains, NY in the total amount of \$71,750.00. This resolution will become Consent Agenda Resolution # R 05-11-065, which is the previous resolution number pulled from the agenda.

Ordinance

First Reading

An Ordinance entitled, Cranbury Township Ordinance #05-11-10, "A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,608,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$251,879 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF", was introduced on first reading.

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Cranbury Township Ordinance # 05-11-10
(Continued)

Mayor Cody asked if this Ordinance means the Township will be borrowing \$251,879, and Ms. Marabello stated the funds would not be borrowed until needed. Mayor Cody asked when the Township would need to borrow the funds, and Ms. Marabello stated she did not anticipate needing to borrow money until the actual Brainerd Lake Dam Project begins and the Township begins making payments on the project. She stated the Township has \$251,000 in the cash account she can use to pay the bills. She will not need to take out notes until the work actually starts. Mayor Cody confirmed the Township is re-appropriating \$1.3 million from the \$2.9 million capital ordinances. Ms. Marabello agreed stating the appropriations were from those ordinances the Township Committee agreed upon to re-appropriate at the last meeting. Mayor Cody asked if the Township Committee members if they thought it was better to borrow the \$250,000 rather than re-appropriate other funds. Ms. Marabello stated that was a Township Committee decision, and if so, the capital ordinances could be looked at again and additional funds could be re-appropriated. Mayor Cody stated most of the money is from re-appropriated funds, and questioned why the Township would borrow the \$250,000 if approximately \$1.2 million left in the capital fund. Ms. Marabello stated the funds are not left in the account because the funds are appropriated purchase certain items. Mayor Cody stated if the funds are not specifically designated to purchase something, the funds should be used instead of borrowing.

Mr. Taylor asked Ms. Marabello if the appropriations for the dam amounted to \$1.2 million, could the Township Committee lower that \$1.2 million to the amount actually incurred this year. Ms. Marabello stated the amount could be lowered to \$900,000, which takes care of the notes, and Mr. Taylor stated at that point the Township Committee could look at re-appropriating funds instead of doing it today and not taking out any notes or bonds. Mayor Cody agreed it was a good idea. Mr. Cook inquired if there was any jeopardy to the normal government process, and Ms. Marabello stated eventually the \$250,000 would need to be raised in a supplemental ordinance, but since it is not being spent now, the Ordinance could be changed. Mayor Cody stated at that point the funds could be re-appropriated or borrowed. ***Ms. Marabello asked the attorney if the Ordinance has to be re-introduced at the next meeting. Mr. Herbert stated it should be re-introduced as substantial changes are being made to the Ordinance.***

Cranbury Township Ordinance 05-11-10

BOND ORDINANCE PROVIDING FOR VARIOUS
CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF
CRANBURY, IN THE COUNTY OF MIDDLESEX,
NEW JERSEY, APPROPRIATING \$1,608,000
THEREFORE AND AUTHORIZING THE ISSUANCE
OF \$251,879 BONDS OR NOTES OF THE TOWNSHIP
TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Cranbury, in the County of Middlesex, New Jersey (the "Township") as a general improvement. For the several improvements or purposes described in Section 3, there is hereby appropriated the sum of \$251,879, including the sum of \$84,422 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

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Cranbury Township Ordinance # 05-11-10
(Continued)

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$251,879 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefore, the estimated maximum amount of the bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

Section 4.

<u>Purpose</u>	<u>Appropriation And Estimated Cost</u>	<u>Estimated Maximum Amt of Bonds or Notes</u>	<u>Reappropriate from Existing Ordinance</u>	<u>Capital Surplus</u>	<u>Period of Usefulness</u>
a) Misc Computer Costs	\$20,000	\$19,000			5 years
b) Reinhardt Easement	\$275,000		09-09-18 \$61 09-09-17 \$6,971	\$250,196	20 years
c) Replacement of Pistols	\$3,600	\$3,420			15 years
d) 2 Digital mobile video recorders	\$12,000	\$11,400			5 years
e) Police Mobile Radios	\$4,000	\$3,800			5 years
f) Dump Truck w/Plow	\$55,400	\$52,630			5 years
g) Brainerd Lake Dam	\$1,200,000	\$150,529	04-03-07 \$43,062 04-03-03 \$825 08-05-21 \$2,991 04-06-08 \$11,340 03-07-05 \$755,216 03-08-08 \$47,671 07-08-17 \$5,040 04-09-07 \$2,070 04-10-04 \$9,818 11-06-25 \$111,438		20 years

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h) Misc Drainage Issues	\$34,000	\$7,300	04-05-09 \$25,000	10 years
i) Firehouse Gutters	\$4,000	\$3,800		5 years

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this Ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 6. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense. They are all improvements or purposes that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

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

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$251,879, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$160,800 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document Cranbury Township

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Cranbury Township Ordinance # 05-11-10
(Continued)

Section 9. on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law

Cranbury Township Ordinance # 05-11-11

An Ordinance entitled, Cranbury Township Ordinance # 05-11-11, "A MODIFIED SANITARY SEWER FORCE MAIN AND ACCESS EASEMENT FOR BLOCK 7, LOTS 8.01 AND 8.02", was introduced for first reading. Mr. Tanner, Township Engineer, explained the Township owns the sewer easement which runs between two (2) Prologis buildings. Prologis is putting solar panels on a couple of buildings, and the room containing the control for the solar panels is on the other side of the easement. This ordinance gives Prologis permission to run electrical wires across the easement. Prologis will be taking precautions so the sewer lines will not be harmed. Mr. Mulligan asked if this had to go before the Planning Board. Mayor Cody confirmed the solar panel application did go before the Planning Board, and Mr. Cook stated this work was also discussed at the meeting. Mr. Tanner explained the work Prologis is doing is actually from the Planning Board. Mr. Herbert stated the condition of approval is that Prologis be compliant with the Municipality of Cranbury. On motion by Mr. Taylor, seconded by Mr. Cook, the Ordinance was passed on first reading by vote:

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

Abstain: (None
Absent: (None

Nays: (None

Cranbury Township Ordinance 05-11-11

MODIFIED SANITARY SEWER FORCE MAIN
AND ACCESS EASEMENT FOR BLOCK 7, LOTS 8.01 AND 8.02

THIS MODIFIED EASEMENT, made this 23rd day of May, 2011 by and between Prologis, ("Grantor"); and the Township of Cranbury, a municipal body politic, having a primary business address of 23-A North Main Street, Cranbury, New Jersey 08512 ("Grantee"); and

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Cranbury Township Ordinance 05-11-11
(Continued)

WHEREAS, Grantor is the owner of certain real property and improvements thereon located in the Township of Cranbury, County of Middlesex, State of New Jersey and known as Block 7, Lots 8.01 and 8.02 ("Property") as shown on the Cranbury Township Tax Map; and

WHEREAS, pursuant to the terms of a resolution granting minor subdivision approval with variances, a sanitary sewer force main and access easement over a portion of the Property was granted to the Grantee as set forth in Deed Book 05070, Page 0629; and

WHEREAS, the Grantor wishes to install solar panels on roofs of existing buildings on the property, the cabling for which will cross the existing sanitary sewer force main and access easement; and

WHEREAS, the installation of the cabling across the easement will not interfere with the Grantee's use and access of the easement area;

NOW THEREFORE, in consideration of the mutual covenants herein contained and the sum of \$1.00 to each party in hand paid by the other, the sanitary sewer force main and access easement is modified and the parties hereto agree as follows:

1. For good and valuable consideration, receipt of which is hereby acknowledged, Grantor hereby gives and grants to Grantee a free, perpetual, uninterrupted, indefeasible, non-exclusive right, liberty, privilege and easement to use and to have access to that portion of Grantor's lands located in the Township of Cranbury, County of Middlesex, State of New Jersey, being ten-feet (10) wide, more particularly bounded and described in Exhibit A attached hereto and incorporated herein ("Force Main Easement"), and more particularly shown on the plan entitled "Minor Subdivision Plan for Cranbury Business Park" dated September 20, 2001, prepared by Glen J. Lloyd, P.L.S., Schoor DePalma Engineers and Design Professionals, attached hereto and incorporated herein as Exhibit B (Subdivision Plan"), for the purpose of constructing, installing, using, operating, repairing, replacing, maintaining, enlarging and inspecting underground Force Main sanitary sewer lines, and certain other facilities relating to the disposition of sanitary sewage ("Sewer Lines"), and conducting other activities necessary and incidental thereto within the Force Main Easement, including a right of access.
2. Grantor grants Grantee a perpetual non-exclusive easement for vehicles and pedestrian ingress and egress over and across the Grantor's internal roads and drive aisles so that Grantee may access the easements connecting to the Pump Station ("Access Easement").
3. Grantor hereby reserves the right to use the Force Main and Access Easement in any manner that will not prevent or interfere with the exercise by Grantee of the rights granted hereunder.
4. Grantee agrees that Grantor shall have the right to grant other non-exclusive easements over, along or upon the Property.
5. Grantee covenants that it will not at any time obstruct access to, from and around the Property without the express written consent of Grantor.
6. Grantee acknowledges that the Grantor will be installing solar panels on the roofs of buildings located on the this property and the it will be necessary to run cables across the Force Main and Access Easement in multiple locations. The locations of the cables installed are as more particularly bounded and described in Exhibit C attached hereto and incorporated herein; and more particularly shown on the plan entitled "Metes and Bounds Description" dated April 4, 2011, prepared by Daniel A. Nagy, New Jersey Professional Land Surveyor, Van Cleef

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Engineering Associates, attached hereto and incorporated herein as Exhibit C. The Grantor agrees and acknowledges that it alone shall be responsible for any costs associated with the installation, maintenance and repair of the solar panels and all cabling and that the Grantee shall not incur or be responsible for any costs associated with the installation, maintenance and report of the solar panels and cabling. The Grantor further acknowledges and agrees that it shall indemnify and hold harmless the Grantee from and against all claims, actions, demands, and liabilities based on property damage and/or personal injury including wrongful death occasioned by an act or omission of the Grantor, its agents, employees, invites, servants, successors or assigns in connection with the installation, maintenance and repair of the solar panels and cabling across the easement area. The Grantor further acknowledges that it shall be responsible for any damages and/or costs associated with the repair and/or replacement of the Force Main sanitary sewer lines, and certain other facilities relating to the disposition of sanitary sewage, caused by the Grantor's installation, maintenance and repair of the solar panels and cabling.

7. Grantor hereby acknowledges that the Force Main and Access easements shall run with the land and be binding on the parties' successors and assigns. Nothing herein shall be deemed in any way to create or confer in or any member of the public the right to use and enjoy the easements herein or any interest therein.

This Easement is signed by the Grantor and signed and attested by the Grantee's proper corporate officers as of the date at the top of the first page. The Grantee's corporate seal is affixed.

Ordinances
Second Reading

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

Ms. Cunningham, Municipal Clerk, explained after introduction at the March 28, 2011 meeting, both of these Ordinances were subsequently referred to the Environmental Commission and Planning Board for review, and the Ordinances were to be carried over until the Township Committee received feedback from the Environmental Commission and Planning Board. The Township Committee recently received correspondence from the Planning Board and at the April 25th meeting, Ms. Cunningham read the letter from the Environment Commission.

CRANBURY TOWNSHIP ORDINANCE # 03-11-06

A motion to enter an Ordinance entitled, Cranbury Township Ordinance # 3-11-06, "AN ORDINANCE DESIGNATING RIPARIAN ZONES AND PROVIDING FOR LAND USE REGULATIONS TO PROTECT STREAMS, LAKES AND OTHER SURFACE WATER BODIES OF CRANBURY TOWNSHIP, 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.

Mayor Cody reported the Planning Board Attorney recommended the Township Committee approve the Riparian Ordinance, and the Environmental Commission recommended changing the wording to 50 feet from the center of the stream versus 50 feet from the streambed wall. Mr. Cook stated the Township Committee understands, and Mr. Tanner concurs, all the current local Ordinances Cranbury has regarding these two issues will still stand. Mr. Cook explained what is being discussed tonight is an interpretation of what the State and the County want in addition to what our local Ordinances describe. Mr. Cook stated the Ordinances could be made stricter than

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CRANBURY TOWNSHIP ORDINANCE # 03-11-06
(Continued)

they are, but the Ordinances could not be reduced. Mr. Cook cited the example of homeowners east of the bridge having a 50 foot limit from the streambed wall, 150 feet if there is no existing wall, and 300 feet if it is a C-1 location. Mr. Herbert confirmed Cranbury has no C-1 locations. Mr. Cook stated Cranbury's Ordinances stand, but if a homeowner wanted to build within 50 feet of the water, the homeowner would have grounds to come in to change the setbacks. Mayor Cody stated these Ordinances are not currently on our books. Mr. Herbert complimented Ms. Kimson, Planning Board Attorney, on her memo to the Planning Board since these Ordinances comply with the Township's Master Plan. Mr. Herbert advised when the Ordinances are placed on the books, to make sure there is a proviso alerting the land owner of the two Ordinances. Mr. Herbert stated there should be cross references under each Ordinance so landowners are aware they must comply with both Ordinances. Mr. Herbert stated the current location of the ordinance under "landscaping" may not be the best location, and the Township may want to consider changing it in the future. Mr. Herbert stated this ordinance will not lessen the requirements for landowners; it just brings the Township into compliance with the County Wastewater Plan, which NJ DEP is requiring the County to do. Mr. Herbert stated if the Township does not adopt the Ordinance, the Township would not be in compliance with the plan. The County would have to redo the plan and Cranbury would not be part of it, which could severely impact any future development in the Township.

Mayor Cody confirmed the Township today has an Ordinance with a 200 foot buffer zone on all stream waters. Mr. Herbert confirmed the 200 foot buffer in effect today is from the center of the stream. Mr. Tanner explained there are places where the stream does not have a defined bank; however, Brainerd Lake does have a defined bank. Mr. Tanner explained the current and new ordinances do not flip, but the new ordinance ties in to a State requirement. Mayor Cody asked if there was any impact with the new ordinance. Mr. Tanner stated whether the new ordinance is adopted or not, the State of New Jersey has already adopted it. Mr. Tanner stated the ordinance appears to be another set of eyes. He explained when someone comes with an application for a subdivision or site plan, the engineer of the Planning Board makes sure all of the State regulations are taken care of. Mr. Tanner stated the 150 foot buffer doesn't come out as far as the 200 foot buffer. He stated the State wants the Ordinance in place and he believes it is less for development than for individual landowners. Mr. Tanner stated regulations exist right now and they must be followed if any building occurs near streams. Mr. Herbert explained a lot of focus came on these regulations after the Delaware River flooded twice. Mr. Cook stated FEMA redrew the flood maps, and Mr. Tanner confirmed the Township adopted the new flood maps, which was a State mandate. Mr. Tanner explained adopting this Ordinance is for the health of the streams.

Mayor Cody inquired about the rule for the houses on Brainerd Lake. Mr. Tanner explained even though Brainerd Lake is artificial, once a body of water is created, the State of New Jersey declares it as something that exists forever. He stated it is a riparian area and because it has a defined bank, it is measured from the top bank. It currently has a 50 foot buffer from the bank. Mr. Cook stated he had a conversation with Mr. Clay Sherman of the DEP who stated the same as Mr. Tanner. Mayor Cody confirmed today's Ordinance states 200 feet from the center of Brainerd Lake. Mr. Tanner stated Brainerd Lake is approximately 300 feet across. He stated he was interested in what impact the new Ordinance would have and stated the impact is basically the same as the current Ordinance. Mr. Mulligan stated the Millstone River has no walls or hard line, and Mr. Tanner confirmed the buffer would be 150 feet. Mr. Tanner stated there is an endangered species habitat behind Washington Drive so that is the point where the 150 feet starts. Mr. Mulligan stated the Township ordinance is 200 feet off the Millstone River, and the State ordinance is 150 feet. If someone wanted to build at 151 feet, a waiver would have to be obtained on the Township ordinance. Mr. Tanner confirmed the Township Ordinance, as long as it is greater than the 150 feet, would be the controlling Ordinance for that property.

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(Continued)

Mr. Mulligan inquired if there is any easy, inexpensive way for the Township to determine how properties are impacted by this ordinance. Mr. Tanner distributed two (2) maps for the Township Committee to review. One map showed four (4) homes on Washington Drive which would be impacted by the ordinance only because they are in the riparian zone. However, they are not seriously impacted because the houses are grandfathered, and if needed for any reason, they could be rebuilt. Mr. Tanner explained permits could be obtained to build on the lot.

Mayor Cody confirmed if this Ordinance is adopted today, nothing changes with the Township's current Ordinance. Mr. Tanner confirmed this Ordinance does not increase, decrease or affect the maps at all and explained this is what the State requires already. Mr. Herbert explained the Ordinance doesn't supersede the Township Ordinance. Mr. Tanner stated the Ordinance is required by the State of New Jersey and is not really a choice the Township has. Mr. Tanner stated the Township has to do adopt this Ordinance as part of the Waste Water Management Plan which the County is trying to adopt and DEP must approve. There are six (6) or seven (7) Ordinances which must be in place. The Riparian Ordinance and Steep Slope Ordinance are the two Ordinances Cranbury does not have. Mr. Tanner stated the County wanted these Ordinances adopted by April 7th. Hearing no further comments or questions from the Township Committee, the Mayor opened the public hearing on the Ordinance.

Mr. Robert Dillon, Hightstown-Cranbury Station Road, stated he has lived in Cranbury for 40 years and stated he has participated at many Planning Board meetings working on the Master Plan that made Cranbury what it is today. Mr. Dillon stated board members worked hard to preserve Cranbury. He stated he feels you cannot have two Ordinances for the same thing. He stated he believes the Township is opening the door for legal action. Mayor Cody asked Mr. Herbert if adopting the Ordinance would cause the Township any legal issues. Mr. Herbert stated Ms. Valerie Kimson is the Planning Board Attorney and she issued a memo stating the new Ordinances will not cause a legal problem for the Township. Ms. Kimson also suggested some language at the end of each of the regulations referencing the other ordinance. Mr. Herbert stated everyone would be on notice and would need to comply with both ordinances. Mr. Herbert explained someone would go to the police powers first and read the regulations required by the State and see the language at the bottom referring them to the landscaping portion of the ordinances. Mr. Herbert explained Ms. Kimson is one of the best land use attorneys in the State of New Jersey and he agrees with her view.

Ms. Joan McGee, Stony Brook-Millstone Watershed Association, stated she spoke at the recent Environmental Commission meeting. Ms. McGee stated the Association supports the Township not adopting this Ordinance and supports the Township adopting an ordinance in conformity with the existing Township ordinance that applies the 200 foot riparian zone buffer to the entire Township. She stated the stricter ordinance protects only the water quality, but also for the ease of understanding by residents and developers. Ms. McGee stated she agrees with Mr. Dillon If there is room for legal action when there are two ordinances. She stated people will see the two ordinances, see they refer to each other, but will sue based on the reference to the 50 feet. She stated the Township will end up in a lawsuit every time because of the conflicting ordinances. It will be to a developer's advantage to sue, and the Township will have to spend a lot of money in legal costs or settlement costs. It would be clearer if the ordinances were uniform at 200 feet, which was recommended by the Environmental Commission and was discussed by the Planning Board. Lawsuits would be avoided. Ms. McGee stated for residents' information existing uses are grandfathered. Ms. McGee read some of the regulations from the Flood Hazard Rules and stated residents need not worry about the ordinance because there are exceptions. Ms. McGee stated the DEP has advised there is no problem for the Township to adopt a stricter ordinance. The ordinance being discussed this evening is the absolute minimum required by the State, but the DEP would prefer the adoption of a stricter ordinance. Ms. McGee urged the Township to make the ordinances uniform, which would be consistent with the Master Plan.

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CRANBURY TOWNSHIP ORDINANCE # 03-11-06
(Continued)

Mr. Dee Wahlers, Hagerty Lane, displayed a map from the DEP, and stated most of the homeowners on Brainerd Lake are less than the 200 foot from the center of the lake and are grandfathered. There is no impact to the residents. Mr. Herbert stated rewriting the ordinance does not make sense and stated the Planning Board was fine with moving forward with the ordinance. Ms. Marabello stated she will ask Ms. Kimson to write the references for both ordinances. Mr. Herbert stated the motion can be made to add the reference language as part of the ordinance. He said he is very familiar with Ms. Kimson's work. Mr. Taylor stated he does not like the ordinance the way it is currently written, and stated Mr. Dillon's comments should be incorporated so the ordinance is easy to understand. Mr. Herbert stated he would be happy to work with Ms. Kimson, and the ordinance could be reintroduced at the next meeting. Mr. Tanner stated he does not believe a two-week delay would cause a problem with the County, but stated if the Township does not adopt the ordinance, the State could take a hard stand and all sewer permits could be stopped in any municipality that has not adopted the ordinances.

Mr. Mulligan stated residents have the right to comment on the final version of the ordinance before it is adopted, and stated he does not see the need to rush and adopt the ordinance this evening. Mr. Tanner understands the only difference is a paragraph stating what takes precedence over what. Mr. Herbert stated it is not controlling language. Mr. Mulligan stated he will not vote yes on the adoption this evening. Mr. Johnson stated he wanted to wait as well. Mayor Cody asked for a motion to adopt the ordinance, and hearing no motion on the Ordinance, the motion died.

CRANBURY TOWNSHIP ORDINANCE # 03-11-07

A motion to enter an Ordinance entitled, # 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", 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.

Mr. Tanner reported this Ordinance does not affect Cranbury as most of the terrain in the Township is flat. Mr. Dee Wahlers, Hagerty Lane, stated Cranbury is very flat, with no more than a 10% slope at any given point. He stated he is not sure why this Ordinance is needed. Ms. Joan McGee of the Stony Brook-Millstone Watershed Association urged the Township to adopt this Ordinance stating it will prevent developers from over grading land. She has seen construction in other Townships where developers will build close to waterways and then build retaining walls, which will later crumble or erode. Cranbury Township does not have steep slopes now, but for long range planning, she urged the Township to adopt the Ordinance. Mr. Art Hasselbach stated the Township is flat with the exception of the waterways near the Turnpike. Mr. Hasselbach stated the Ordinance places more restrictions and will affect somebody in the future. Mr. Tanner stated this Ordinance deals with the disturbance of, not creation of, steep slopes. On motion by Mr. Cook, seconded by Mr. Taylor, the Ordinance was adopted by a vote:

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

Abstain: (None
Absent: (None

Nays: (None

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Resolutions
Consent Agenda

Mayor Cody read the Consent Resolutions and asked Township Committee members if they wanted any of the resolutions handled separately. Mr. Tanner reported bids for the irrigation system for the municipal soccer fields were opened on May 3rd. The Township Attorney's office reviewed the bid from the lowest responsible bidder and found many errors in the bid package. Therefore, the Attorney recommended, and Mr. Tanner agreed, the bid should be awarded to the second lowest bidder, National Lawn Sprinklers of White Plains, New York. Mayor Cody inquired if the school would be able to connect to the irrigation, and Mr. Tanner confirmed the school could connect in the future if they wanted to. Mr. Tanner reported Mr. Graydon was pleased with the dollar amounts of the bids. Mr. Taylor inquired if the \$71,750 is being covered by the grant. Ms. Marabello stated there is approximately \$91,000 left in the grant and this project is completely covered, and added Ken Jacobs, Recreations Director, would know the exact numbers. Mayor Cody inquired about the remaining funds covering the scoreboard, and Mr. Taylor also mentioned a storage shed. Ms. Marabello stated Mr. Jerry Thorne, Public Works Manager, already purchased a shed out of capital ordinance funds. Mr. Mulligan asked Mr. Tanner if these the bids were what he was expecting, and Mr. Tanner confirmed he and Mr. Graydon were pleased with the bids. On a motion by Mr. Cook, seconded by Mr. Johnson, the following Consent Agenda Resolutions were adopted by vote:

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

Nays: (None

Cranbury Township Resolution # R 04-11-062

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

Cranbury Township Resolution # R 05-11-063

A RESOLUTION AUTHORIZING THE RELEASE OF ESCROW

WHEREAS, Karen Petrucelli has deposited planning escrow with Cranbury Township

WHEREAS, Karen Petrucelli has requested the release of the balance of said escrow in the amount of \$1,710.00.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Cranbury authorizes the release of the above escrow deposit.

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

- (a) Township Attorney
- (b) Township Director of Finance
- (c) Karen Petrucelli, 26 North Main Street

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Cranbury Township Resolution # R 05-11-064

RESOLUTION AUTHORIZING THE ASSIGNMENT
OF TAX SALE CERTIFICATE # 157

WHEREAS, the Township of Cranbury is the holder of Tax Sale Certificate No. 157, acquired under and by virtue of N.J.S.A. 54:5-34; and,

WHEREAS, it is deemed financially beneficial; to and in the best interests of the municipality to sell such tax sale certificate for the full amount of the liens accrued to said certificate,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey hereby authorizes the assignment of Tax Sale Certificate No. 157, to take place on May 23, 2011.

Cranbury Township Resolution # R 05-11-065

TOWNSHIP OF CRANBURY

RESOLUTION AWARDED CONTRACT FOR THE
MUNICIPAL SOCCER FIELD IRRIGATION SYSTEM

WHEREAS, the Township of Cranbury requires the installation of a soccer field irrigation system at the municipal complex; and

WHEREAS, after legal proper notice and publication, four (4) bids were received on May 3, 2011; and

WHEREAS, the lowest responsible bid was submitted by National Lawn Sprinklers, 645 North Broadway, White Plains, New York 01603 in the total lump sum amount of \$71,750.00; and

WHEREAS, the Township Attorney has reviewed the qualifications of National Lawn Sprinklers, and has recommended that the contract be awarded to National Lawn Sprinklers and;

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this purpose.

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

1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with National Lawn Sprinklers, 645 North Broadway, White Plains, New York 10603, for a soccer field irrigation system at the municipal complex, for an amount not to exceed \$71,750.00.

Work Session

- a). Discussion by the Township Committee on a request from Kerzner Associates for the Township to provide sewer services for South Main Street (Block 19, Lot 13,02)

Mr. Sandy Kerzner, owner of the 8-A Corporate Center at Cranbury Circle, and his attorney Mr. Don Driggers, Esq. requested the Township Committee consider providing a hookup to the Township Sanitary Sewer System, which runs down South Main Street to the Cranbury Circle. Mr. Driggers stated he understands this is not an easy request. Currently the Sanitary Sewer System ends at Danser Drive. Mr. Driggers stated Mr. Ken Miller of South Main Street

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Work Session

a). Kerzner Associates Request for Sewer Services (continued)

would be interested in the hook up. Mr. Driggers stated WaWa is considering purchasing the Cranbury Service Center, and sewer hookup would be beneficial for that location as well as for Perrine Auto on Route 130. Mr. Driggers stated at a time when the Township is looking for additional ratables, the sewer hook up would be an asset for developers. Mr. Kerzner stated when considering developing a property, he likes to get as much flexibility as possible. He stated he has come to the Township several times with this request, including before the Fisher Tract was developed. He stated now that the Township is rezoning, it would be a good time to develop. The sewer system makes the property more competitive for developers, and the rates and sewer would also be beneficial to the town.

Mr. Kerzner stated he would be the major contributor to the sewer line. Mr. Tanner stated the project would not just be sewer lines, but also a pump station. Mr. Tanner stated there are two steps: first to approach the County and ask to have the area put in the sewer service area; and second, if the County and DEP agree, the applicant can make an application. Mr. Mulligan stated extending the sewer area across Route 130 may mean giving sewer access to Brickyard Road. Mr. Tanner stated Route 130 would be a reasonable place to stop. Ms. Marabello reported the Township has three (3) old pump stations and a sewer system which requires maintenance. Mr. Tanner stated it is a problem deciding where to stop the service area, and crossing Route 130 only makes sense if a lot of properties are picked up. Mr. Tanner stated the costs for the sewer services are less for a developer than for the Township, and stated the logical site for the pump station would be on Mr. Kerzner's property. The Township would own and would have to maintain the sewer lines. The concern is whether the expanded sewer service would be in the Township's best interest. The lack of sewer service is a serious constraint for the Kerzner properties, WaWa and Perrine. Mr. Tanner stated the best economics for a pump station would be to go on the other side of Route 130. Mr. Driggers stated Mr. Kerzner would front the money for the project. Mr. Driggers stated the first step is for the Township Committee to go to the State and then talk to the County Sewer Authority. Mayor Cody suggested Mr. Kerzner go back to review the costs. Mr. Driggers and Mr. Kerzner agreed they will look again at the numbers and will come back before the Township Committee at another meeting.

b). Discussion by the Township Committee to limit terms for Township Boards, Committees and Commissions.

Mayor Cody stated the Township Committee would assess limiting terms for Township Boards, Committees and Commissions. Mr. Herbert stated Planning Board and Zoning Board of Adjustment terms are set by State Statute and could not be changed. The State also mandates the Planning and Zoning Boards have their own attorney. Mayor Cody suggested considering limiting the terms of the Township Committee members. Mr. Herbert stated State law doesn't address those terms, but stated the Township can make a policy. He stated it is always good policy to get new blood on committees. Mr. Taylor stated boards on which he has sat have always had term limits to encourage new blood and for an existing member to be given an opportunity to come off refreshed and gain a new perspective. Mr. Johnson stated there are practical considerations the Township Committee must accept. He stated this year both parties had difficulty finding people to even run for Township Committee, and stated term limits are not advisable. Mr. Mulligan stated voting for a Township Committee member is an avenue for residents to have a say. He also stated it is difficult to get volunteers. Mr. Taylor concurred it is hard to find volunteers in a small community. Mr. Cook stated Cranbury is unique in that people work together for the good of the town. Mr. Herbert stated it is a good idea to keep politics out of the boards, and keeping boards independent so there is no political pressure. He stated there is some level of insulation having quasi-judicial boards. Mr. Taylor stated there are two (2) or three (3) board

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b). Discussion by the Township Committee to limit terms for Township Boards, Committees and Commissions.(continued)

members on a board who have knowledge about the town, and it would be detrimental for boards to not have that knowledge base. Mayor Cody stated if the terms for Township Committee were not broken, it should be left alone. If the terms for the Township Committee are not changed, then the terms for other boards should remain as is.

c). Discussion by the Township Committee to consolidate some Township Boards, Committees and Commissions.

Mayor Cody asked the Township Committee members if they had any suggestions for consolidation of boards and committees. Mr. Johnson asked if it would be discussed at a future Work Session. Mayor Cody stated with so many boards and committees, there are many meetings and it would be beneficial to consolidate. He stated the Township's Code allows one Zoning member on the Planning Board. Mayor Cody suggested a communication be sent to the boards and committees to see if they have suggestions for consolidation. The Township Committee suggested the following possible consolidations: Planning and Zoning; Parks and Recreation; Environmental Commission and Shade Tree; and Human Services and Recreation.

Mr. Johnson stated it is awkward to have the Planning and Zoning Boards combined. Mr. Herbert stated those boards are combined in smaller communities. Mr. Mulligan stated in a lesser developed community, the separate boards act as "checks and balances." Until Cranbury is built out, it may not be appropriate to combine the Planning and Zoning boards. Mr. Herbert stated in a community not yet built out, the issues may become complex; however, in towns already developed, it can be fairly easy because of smaller variances and combining the boards may not be appropriate for Cranbury right now.

Mr. Taylor stated the Historical Preservation Commission reviews applications for historical compliance. He stated perhaps the Building Department could then have final review and approval of the application to provide feedback and suggestions to the applicant before construction actually begins. Mr. Taylor cited the example of the Fire House doors and gutters, which were approved by HPC, but were really not the best choice (size and energy efficient) for the construction. If the Building Department catches something, it will avoid problems before construction begins. Mayor Cody stated Mr. Taylor's suggestion made sense.

The Township Committee discussed the narrow focus of the Human Services Board, which focuses mainly on senior activities. Mayor Cody stated seniors are one of the Board's missions, and other duties include assisting residents by way of referral. He stated Human Services and Recreation would be a good consolidation as the Recreation Board already does senior programs. Mr. Taylor stated he likes the idea of approaching the boards for their comments. Mr. Mulligan stated there may be potential synergies and it would be helpful to receive feedback from the boards. Mayor Cody suggested the liaisons approach the Chairpersons to get feedback and the issue can be addressed at a future Work Session.

Reports from Township Staff and Professionals

Administrator

The Administrator announced she had no reports.

Reports from Township Board and Commissions

There were no reports from Township Boards and Commissions.

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Public Comment

The Mayor opened the meeting to public questions and comment:

Mr. Charles Gallagher, Hightstown-Cranbury Station Road, addressed the problems he and his neighbors are experiencing due to the Turnpike widening project. He asked for the Township Committee's assistance. The trees have been cut down and the Turnpike is right in his backyard. Mr. Gallagher stated the area is not targeted for a barrier wall. Mr. Herbert explained the Turnpike determines where walls will be placed based on a formula. Walls are to be built in East Windsor, Robinson and Hamilton, but not Cranbury. Mr. Herbert stated there is only so much money to build walls. Mr. Gallagher stated it is the Township Committee's responsibility to protect its residents. He stated he is not asking the Township Committee to spend one dime, but asked the members to do their job to protect the residents of Cranbury.

Mr. Robert Dillon, Hightstown-Cranbury Station Road stated the Turnpike was close before but is even closer now. He stated much of the vegetation and trees have been destroyed. He also stated the noise from the overpass sounds like an elevated train in New York. Vehicles go on the overpass and the noise is intensified because of the elevated bridge, and there is nothing to block the noise. He stated the Township is receiving money from the Turnpike for trees, but he and his neighbors are not receiving anything.

Mr. Stuart Long, South Main Street, addressed his drainage issues with the Township Committee. He stated there are engineering and grading differences with St David's Church completing their construction. The Church sidewalk has been extended to his property, and the sidewalk blocks the overflow from the retention basin. Mr. Long stated there should be a swale from the pond out to the street, and stated there is also a pipe which the Church has not removed. Mr. Long reported there is more water from the runoff of the larger room, and the Church needs to be able to have that runoff managed. Mr. Bill Tanner, Township Engineer, met with Mr. Long. Mr. Tanner reports Mr. Long's property is lower than the Church property, and confirmed the Church stopped the construction of the sidewalk by Mr. Long's property. He said the overflow of the pond should be able to out to the street, and suggested a continual berm on Mr. Long's property to direct the water to the street. Mr. Tanner stated the sidewalk was put in by the County and he cannot make the County change what the Planning board has approved. Mr. Cook inquired if there is a time line for the berm, and asked if the berm would solve the runoff problem. Mr. Tanner stated the berm would help. He stated the problem was exasperated by the sidewalk being raised up three (3) to four (4) inches. The goal is to have the pond not flood. Mayor Cody asked Mr. Tanner to work with Mr. Long to resolve the issue. Mr. Long also stated the Church needs to remove the pipe. Mr. Tanner stated the builder is willing to correct the situation and knows the water is supposed to go to the street. Mr. Tanner stated the contractor understands the problem and has agreed to correct it.

Ms. Lynne Fox, Liedtke Court, stated the consolidation of boards is a worthy endeavor. She suggested a questionnaire be developed to be completed by each board. Rather than have liaisons ask random questions, it would be advantageous to have the same questions answered by all the boards before decided to consolidate. Questions could include the purpose of the Board, primary responsibilities and numbers of members. Ms. Fox inquired if the Township has any plans to complete the sidewalk on Old Trenton Road from Main Street to the Cranbury Swim Club. Mr. Tanner stated Old Trenton Road is a County road, and the County does not build sidewalks. Previously, there was not enough interest in the Township to have sidewalks along Old Trenton Road. Ms. Fox voiced her concern about safety for children and adults who cross Old Trenton Road several times to get to the Swim Club. Mr. Cook agreed safety is an issue and there may be striped bike lanes where there is no sidewalk. Mayor Cody stated there is no

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sidewalk along the one section of preserved farmland. Ms. Fox stated Old Trenton Road is not a safe road and stated the cars are not going slower. She asked the Township Committee to consider a sidewalk for Old Trenton Road for the safety of the seniors and children in the Township.

Public Comment
(continued)

There being no further public comments, the Mayor closed the public part of the meeting.

On motion by Mr. Taylor, seconded by Mr. Cook and unanimously carried, the meeting adjourned at 10:15 p.m.

Jean Golisano, Deputy Clerk