

TOWNSHIP COMMITTEE MEETING
June 13, 2011

The regular meeting of the Township Committee of the Township of Cranbury was held at 7:00 p.m. in the Town Hall Meeting Room. Answering present to the roll call were Township Committee members: David Cook, Glenn Johnson, Daniel Mulligan, Jay Taylor, and Mayor Win Cody. Also present were Denise Marabello, Township Administrator/Director of Finance; 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.

Regular Township Committee Minutes of May 23, 2011

On motion by Mr. Mulligan, seconded by Mr. Taylor and unanimously carried, the Regular Township Committee Minutes of May 23, 2011 were adopted.

Closed Session Minutes of May 23, 2011

On motion by Mr. Mulligan, seconded by Mr. Taylor and unanimously carried, the Closed Session Minutes of May 23, 2011 were adopted.

Reports and Communications

-- Mayor

Mayor Cody reported the combination hotel/daycare center project was addressed again at the Planning Board meeting, and will be voted on at the June 16th meeting. The first round of the Master Plan changes will also be discussed at that meeting. Mayor Cody stated he received a letter concerning crosswalk safety, which he referred to the Police liaison, Mr. Taylor. A letter concerning an eco-logical green program was referred to the Environmental Commission liaison, Mr. Johnson. Mayor Cody reported he received a letter from Senator Doherty requesting the Township to support his plan to radically change the way school state aid is distributed. Mayor Cody suggested the issue be discussed first at the School Board. Ms. Marabello stated she already gave a copy of the letter to Ms. Joyce Picciareello, School Business Administrator, who spoke to the School Board about it. The School Board's liaison will contact Mr. Mulligan to discuss if action should be taken.

Mayor Cody stated there are no COAH updates to report as legislation seems to have stalled. He asked Ms. Marabello if the Township has a COAH trust fund, and Ms. Marabello confirmed there is trust fund money set aside to use for the 130D site.

Mayor Cody reported Health Benefits and Pension legislation seem to be moving forward, and the reform will hopefully prove less burdensome to municipalities.

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Reports and Communications (Continued)

-- Members of Committee

Mr. Mulligan reported he met with Mr. Charles Gallagher, Hightstown-Cranbury Station Road concerning the Turnpike-widening project. Mr. Mulligan stated Mr. Gallagher is thankful for the Township's efforts. Mr. Mulligan stated he appreciated the coverage by the East Windsor Patch and Cranbury Press getting the word out on the issue. Mr. Mulligan also reported Mr. Gallagher brought attention to a safety issue of high grass on the corner of Station Road and Cranbury Station Road. Mr. Mulligan stated he looked at the corner and stated it is a safety problem. He confirmed with Ms. Marabello the Health Officer was called to assess the situation. A letter sent by the Health Officer to the property owner was returned. Ms. Marabello instructed Public Works to cut the hazardous high grass, and she stated the area is now cut. Ms. Marabello asked the Township Committee what action should be taken if there are other unmaintained properties in the Township where the owner is deceased or the property has been abandoned. She stated uncut grass can be a health issue or safety issue, and stated per State Statute, the Township can abate the situation and charge the property owner a fee for doing that. Ms. Marabello stated the problem is if the Township cannot get a notice to the property owner, in all likelihood a bill for the services will not be delivered either. She stated the charge would become a lien on the property. Ms. Marabello stated Cranbury Township does not have a lot of abandoned or uncared-for properties, and stated the Township Committee may have to decide if Public Works should be used in the future to maintain properties. The property on Station Road was small and only required about one (1) hour of work; however, a property on Plainsboro Road will require much more of Public Work's time. Mr. Mulligan stated there seems to be enough local ordinances in place to address situations and a means to charge/fine property owners is in place. Mr. Mulligan stated he would like to see the Township Committee allow Ms. Marabello to address and manage each property on a case-by-case basis. Ms. Marabello stated the properties could be maintained on a monthly basis to avoid health issues.

Mr. Mulligan reported ABC Tree Trimmers was in the Township trimming trees. He asked if there was anything the Township could do proactively to avoid excessive trimming in the future. Ms. Marabello reported ABC is almost finished trimming now, and was told by the forester that trimming will probably not be done for another four (4) years. She stated the forester did report there were some areas which were lightly trimmed and may need to be trimmed in two (2) years, but most trees should be good for four (4) years. Ms. Marabello stated she was in touch with PSE&G, and they were very accommodating. She stated there are specs based on BPU guidelines for keeping the wires free, and ABC was following the specs. Mr. Mulligan stated, while ABC was following the specs, the trimmers could make the trees look better if they just spent a little more time. Mr. Richard Kallan, Wynnewood Drive, stated ABC did exactly what he requested and he was pleased with their work.

Mr. Mulligan reported the Cranbury-Plainsboro Little League picnic this past weekend was a great event for the Cranbury kids, and he stated the Mets won over the Yankees in the Majors League.

Mr. Mulligan reported he attended the Municipal Alliance meeting this past week, and the Alliance is proactively trying to make cuts in their budget. Mr. Mulligan stated it will be difficult, and he applauds the Alliance for their efforts. He stated he will connect with the School Board concerning the previously-mentioned State aid letter from Senator Doherty.

Mr. Mulligan stated he is receiving calls concerning the Brainerd Lake Dam Project, and asked if information could be placed on the website. Mr. Cook stated the pricing for the Project is still in process and he is reluctant to put the report on line yet as everything presented in the report may not happen. Mr. Mulligan stated residents want to be involved, and he felt it would be beneficial to make the Project information available to residents. Mr. Mulligan stated he will not at the August Township Committee meeting, and when the meeting for the Brainerd Lake Dam Project is scheduled, he would like to be available.

Lastly, Mr. Mulligan reported he met with the Business and Professional Association and a discussion was held concerning parking for Cranbury Day. At the last meeting, Mr. Mulligan stated the Association wanted to use Village Park and the soccer fields for parking. At this meeting, the Association inquired if the grass area at the end of Park Place could be used for additional parking. Mr. Mulligan stated he thought it is a good idea, and asked the Township

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Reports and Communications (Continued)

-- Members of Committee

(Mr. Mulligan continued)

Committee for their thoughts. He stated consideration would need to be given if, depending on rain the previous week, the grass would be dry enough for parking. The Business Association stated they would stake out an area for parking, and the Police Department will come to the next Business Association meeting to provide feedback and concerns. If the Police do not think the idea is a good one, there will be no parking there. Mr. Mulligan stated parking is the biggest problem on Cranbury Day. Mr. Johnson stated he believed the area would work because Park Place is kept open to allow access for Post Office vehicles.

Mr. Cook reported the sidewalks in the Griggs Tract meet code and regulations, and paving should start next week. Mr. Cody asked if this work is being covered by County grant funds, and Ms. Marabello confirmed it is. Mr. Cody reported a memo was received from Mr. Bill Tanner, Township Engineer, concerning the Riparian Ordinance. Mr. Tanner's letter addresses the Ordinance wording not be just 50 feet from a walled stream bed, but 200 feet. Mr. Cook stated if the State interpreted the wording, houses on Brainerd Lake would be in violation of the Ordinance. Mr. Cook reported Mr. Tanner's memo encouraged leaving the wording intact at 50 feet, and leave all the Township ordinances intact which would relate back to the 200 feet buffer. Mr. Dee Wahlers, Hagerty Lane, stated once the law is passed, it would not be retroactive. Everything existing would be grandfathered. Mr. Wahlers clarified houses on Brainerd Lake would also be grandfathered, however, any changes to the properties would require waivers. Mayor Cody reported the Riparian Ordinance will be discussed at Thursday's (June 16th) Planning Board Meeting.

Mr. Cook reported as a result of the Turnpike widening project, two entities on Station Road (one commercial and one residential) had light poles impacted by the project. The New Jersey Turnpike Authority will cover the cost of moving the poles.

Mr. Cook stated based on the referendum passed last year concerning investigating residential trash pickup, an RFP has been put together based on an RFP from Rocky Hill. The entities invited to respond to the RFP will be both commercial haulers (Midco, Waste Management, etc.) and municipal haulers (Milltown, Woodbridge, and others) to see what the services and cost options would be. RFPs will go out on July 1st for a bid opening on September 20th. From September 20th on, a series of public informational meetings and news releases through various media will provide information prior to the November 8th referendum to see if Cranbury Township residents want to entertain a single hauler. Mayor Cody asked if this would be non-binding since residents would have to vote on it.

Mr. Mulligan wanted to clarify the next time the Riparian Ordinance would be addressed is at the June 27th meeting, and Mr. Cook stated the Ordinance would be addressed at the Planning Board Meeting on June 16th as well. Mr. Mulligan stated when the issue was addressed at the last few meetings, he felt there was miscommunication and was concerned about some of the language in the Ordinance. He asked what professionals would be present at the meeting. Ms. Marabello reported Mr. Bill Tanner, Township Engineer, would be present at the next meeting to address any technical questions about the Ordinance. Mr. Mulligan stated Mr. Tanner was present at the last meeting to answer some questions. Mr. Mulligan asked if the Township Committee would consider having Ms. Valerie Kimson, Planning and Zoning Board Attorney at the meeting to participate in the discussion and answer questions. Mr. Mulligan stated he is in favor of having Ms. Kimson present at the meeting. Mr. Johnson agreed. Mr. Cook suggested Ms. Kimson could give her opinion in a letter, but stated having her present at the meeting to interpret would be more helpful before the Ordinance goes to vote. Mayor Cody asked Ms. Marabello to request Ms. Kimson be present at the June 27th meeting.

Mr. Johnson reported he spoke with Ms. Bobbie Marlowe, Chairwoman of the Historic Preservation Commission, concerning handrails on the front steps of Town Hall. He reported Ms. Marlowe did not believe the HPC ever voted on the issue of handrails, but handrails should be installed if there is a safety issue. Mr. Johnson stated it will be difficult to determine period-appropriate handrails for Town Hall, and stated there are iron fabricators who may be able to come up with a design. Mr. Taylor stated the handrails should not cost more than \$2,000, and suggested Mr. Johnson speak with Mr. Greg Farrington, Construction Official, for suggestions.

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Reports and Communications (Continued)

-- Members of Committee

(Mr. Johnson continued)

Mr. Johnson stated an iron company in Piscataway has materials in stock, and while some adjustments may be necessary to accommodate the size of the steps, the handrails would not be custom made and should be less costly.

Mr. Taylor reported Chief Varga wrote a press release concerning "gypsy" workers who come through town at this time of year offering to do work. Mr. Taylor cautioned residents to be careful and encouraged checking with the Better Business Bureau before allowing work to be done on homes. On a fun note, the Police held their annual FOP Fishing Derby on June 4th, and both children and adults enjoyed fishing from the "stocked" Brainerd Lake.

Mr. Taylor stated CERT members were present at the Memorial Day Parade, the Civil War Dedication and will also be assisting at the July 5th fireworks. Mr. Taylor stated there is a continued search for new CERT members because the CERT program reduces Police Department overtime costs. Mr. Taylor stated people outside of Cranbury have expressed an interest in joining CERT.

Mr. Taylor reported 17 building permits (\$1,591), 20 electric permits (\$1,292), and 22 plumbing permits (\$1,023), and six (6) (\$286) fire permits were issued. Mr. Taylor commented the Construction Department's fees are still low, and stated the upcoming changes in the Master Plan will hopefully encourage commercial development. The Construction department performed 88 building inspections, 42 electrical inspections, 22 plumbing inspections, and seven (7) fire inspections.

The Public Works Department purchased a shed for the ball field for \$1,750. The funds were obtained from an existing grant. Memorial Day wreaths and flowers totaled \$224. There was one (1) chipping violation mailed, and the homeowner immediately rectified the violation. Street sweeping was done in the Township before Memorial Day at a cost of \$2,575. Mr. Taylor reported the pump station at Four Seasons was replaced at a cost of \$2,195.24. The leaf machine required replacement of a broken hoist plate for \$1,050.

Mr. Taylor reported he met with Assemblyman Dan Benson, who offered to meet with Mr. Taylor to discuss how he may help Cranbury Township with any issues. Mr. Taylor thought it would be beneficial to discuss Cranbury's budget and the impact of state mandates.

Mr. Taylor stated he received letters from the Parks Commission and the Arts Council in support of placing a sculpture in Village Park. The Parks Commission would like the sculpture placed soon, and Mr. Taylor requested this item be placed on the June 27th agenda.

Mr. Taylor reported the Civil War Monument was dedicated on June 11th. The following attendees were present: Senator Linda Greenstein; Assemblyman Dan Benson; Mayor Janice Mironov of East Windsor; Mayor Steven Kirson of Hightstown; Mayor Peter Cantu of Plainsboro; Mr. Cook, Mr. Johnson, and Mr. Mulligan, Cranbury Township Committeemen; Mr. John Katerba, Historian of Monroe, and four (4) former Township Committeemen: Mr. Dee Wahlers, Mr. Wayne Wittman, Mr. Tom Weidner and Mr. Taylor's father, Mr. James Taylor. Mr. Taylor read a letter of congratulations from Governor Chris Christie recognizing the 14th Regiment New Jersey Volunteer Infantry for their bravery and wishing Cranbury Township a successful event. The Civil War Society presented Cranbury Township with a lovely plaque with a picture of the memorial. Mr. Taylor requested the Township Committee's approval to have the plaque displayed in Town Hall. Mr. Taylor stated questions were raised by Cranbury residents who served in previous wars whose names do not appear on the monument in Memorial Park. Mr. Taylor asked Mr. Dee Wahlers if he knew who was responsible for having names added to the monument. Mr. Cook inquired if there was a process in place to have veterans' names added to the monument. Ms. Marabello stated the Township asked the Historical Society and the Parks Commission, but no one is sure who is responsible. The Township will continue to investigate. Mr. Johnson stated the issue is more complex than including veterans from World War II and the Korean War. He stated he has received questions concerning soldiers who had served in Iraq and Desert Storm, and even small actions since Vietnam. Mr. Johnson stated a list would need to be compiled because a stonecutter would have to be called. Mr. Cook suggested contact Mr. Rob Smithers, Petty Road, for possible information. Mayor Cody inquired if the names are of deceased soldiers

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Reports and Communications (Continued)

-- Members of Committee (continued)

or also soldiers who served, and the monument lists both. Mr. Taylor concluded by reporting about 250 people attended the Civil War Event, with some coming from as far away as Texas.

-- Subcommittees

Mr. Mulligan stated Ms. Kimson would be present at the next meeting, and he requested the Township Committee consider talking about litigation during Closed Session. Mayor Cody recommended waiting until after the Planning Board Meeting to decide if Ms. Kimson will be needed at the next Township Committee.

Agenda Additions/Changes

Ms. Kathleen Cunningham, Municipal Clerk/Assistant Administrator, stated, at the request of Mr. Taylor, a discussion concerning removing the annual \$50 fee for the Outdoor Dining License would be added as Item B to the Work Session.

Ordinance

First Reading

An Ordinance entitled, Cranbury Township Ordinance # 06-11-14, "AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, INCREASING THE SEWER CONNECTION FEE," was introduced on first reading. On motion by Mr. Taylor, seconded by Mr. Cook, the Ordinance was passed on first reading by vote:

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

Second Reading: June 27, 2011

WHEREAS, Chapter 124 of the Code of the Township of Cranbury ("Code") establishes the connection fees to be charged to the owners of every property making a connection into said sewerage system; and

WHEREAS, N.J.S.A. 40A:26A-11 requires the Township to recalculate its connection fees at the end of each budget year, utilizing the methods set forth in said statute; and

WHEREAS, based on the financial information obtained following the end of the budget year 2010, the Township's Professional Accounting Consultant and Chief Financial Officer have performed the statutorily-required recalculation, and based on said recalculation have recommended that the connection fee be increased;

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

1. The recitals contained in the foregoing preamble are incorporated herein as if fully restated.
2. Section 124-38 of the Code, entitled "Connection fees," is hereby amended to change the charge for connecting to the Township's sewerage system, and shall read as follows (additions are underlined; deletions are in [brackets]):

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Cranbury Township Ordinance # 06-11-14
(Continued)

124.38. Connection Fees

The owners of every property making connection, either directly or indirectly, to the Cranbury Township sewer system shall pay a connection charge of [\$2,319] \$2,920 per dwelling unit at the time of connection. The owners of properties other than residential properties shall pay a connection fee of [\$2,319] \$2,920 per equivalent domestic consumption unit. For the purposes of this section, an equivalent domestic consumption unit is any use which has water usage or sewer flows of up to 69,386 gallons per year. Any estimate of flows over 69,386 gallons per year or multiple thereof shall be billed as one full additional dwelling unit.

3. This Ordinance will take effect upon final adoption and publication, as provided for by law.

Ordinances
Second Reading

Cranbury Township Ordinance 05-11-12

A motion to enter an Ordinance entitled, Cranbury Township Ordinance # 05-11-12, "A CAPITAL ORDINANCE OF THE TOWNSHIP OF CRANBURY AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,356,120 FROM CRANBURY TOWNSHIP'S CAPITAL SURPLUS, CAPITAL IMPROVEMENT FUND AND THE REAPPROPRIATION OF EXISTING CAPITAL ORDINANCES TO COVER THE COST THEREOF," 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. Mr. Phyllisanne Stehn, Hardley Drive, thanked Mayor Cody for his efforts on this Ordinance. On motion by Mr. Taylor, seconded by Mr. Johnson, the Ordinance was adopted by a vote:

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

Abstain: (None
Absent: (None

Nays: (None

Cranbury Township Ordinance # 05-11-13

AN ORDINANCE DESIGNATING RIPARIAN ZONES AND PROVIDING FOR LAND USE
REGULATIONS TO PROTECT STREAMS, LAKES AND
OTHER SURFACE WATER BODIES OF CRANBURY TOWNSHIP

Ms. Cunningham, Municipal Clerk, announced this Ordinance has been carried over and will be reviewed at the next Planning Board Meeting scheduled for June 16th. Therefore, this Ordinance will be heard on Second Reading and Public Hearing on Monday, June 27th at 7:00 p.m.

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Resolutions

Consent Agenda

Mayor Cody read the Consent Agenda Resolutions. Ms. Cunningham, Municipal Clerk, explained Resolution # 06-11-078, was adopted in February 2011. However, the Ordinance needs to be done again because the Federal Government cut municipalities' allocations. Cranbury Township was to get \$29,700, and the amount has now been reduced to \$25,013. Mayor Cody asked if the Township Committee had any questions or comments or wanted to handle any items separately. Mayor Cody inquired if once the Tree Planting Agreement is signed, would Cranbury Township receive its money from the Turnpike. Ms. Marabello stated the Township has already received the funds. Mr. Cody inquired what the next steps would be, and Ms. Marabello replied bid specs have been prepared, the Township Attorney will review the bid, and then the Township will go out to bid. Mr. Taylor asked if there is a timeline set up. Ms. Marabello stated the planting would be done in the Fall. Mr. Taylor stated the bid process would probably go into August; stock would need to be purchased and planted. Ms. Marabello stated the bid specs are ready and the process will be started shortly. Mr. Taylor stated he was concerned about the short timeframe between the bid process and when the trees can be planted.

Resolutions

Consent Agenda

On a motion by Mr. Taylor, seconded by Mr. Johnson, the following Consent Agenda Resolutions were adopted by vote:

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

Cranbury Township Resolution # 06-11-074

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 06-11-075

WHEREAS, 2nd Quarter 2011 property taxes for the property listed below, were overpaid due to an overpayment by Bank of America and Sital Shah, the attorney who represented the prior owners at closing, and

WHEREAS, the attorney is due a refund on behalf of Elizabeth Kugler & John Prior, the prior owners

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the following overpayment be refunded to: Sital Shah, Attorney Trust Account.

Block	Lot	Name	Amount
20.12	7.01	Elizabeth Kugler & John Prior	\$1,148.76

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Cranbury Township Resolution # R 06-11-076

CRANBURY TOWNSHIP REPLANTING AGREEMENT WITH
NEW JERSEY TURNPIKE AUTHORITY

WHEREAS, the New Jersey Turnpike Authority ("NJTA") and Cranbury Township (the "Township") have executed a Reforestation Agreement with the New Jersey Department of Environmental Protection concerning certain No Net Loss Reforestation Act issues; and

WHEREAS, pursuant to that agreement, the NJTA and the Township have agreed to enter into a contract for the performance of reforestation in the amount of \$766,703.00; and

WHEREAS, the NJTA has already paid the \$766,703.00 consideration to the Township;

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Cranbury, Middlesex County, New Jersey, does hereby authorize the replanting agreement with the NJTA;

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign such agreement as well as any other related documents in connection therewith.

Cranbury Township Resolution # R 06-11-077

A RESOLUTION AMENDING THE FEES
FOR THE USE OF CRANBURY TOWNSHIP'S ATHLETIC FIELDS

WHEREAS, to address the ever-increasing demand for the use of Cranbury Township's playing fields (including soccer, lacrosse and field hockey fields, softball fields, and baseball fields), the Cranbury Township Recreation Commission has recommended that the Township amend the fee structure for the use of Cranbury's playing fields; and

WHEREAS, under the regulations promulgated by the New Jersey Department of Environmental Protection, Green Acres Program, N.J.A.C. 7:36-25.11, municipalities may adopt fees and schedule the use of their recreation facilities on unfunded parkland at their discretion; and

WHEREAS, all of Cranbury's playing fields are located on unfunded parkland; and

WHEREAS, Chapter 108 of the Code of the Township of Cranbury ("Code") authorizes Township Committee to amend by resolution the fee schedule applicable to each of the Township's athletic fields; and

WHEREAS, the Township Committee has reviewed the recommendations of the Recreation Commission and seeks to amend the fee structure for the use of the Township's athletic fields consistent with the Recreation Commission's recommendations;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, in Middlesex County, New Jersey, that the document entitled "Cranbury Township Fees for Athletic Fields" attached hereto as Exhibit "A" and made a part hereof, be and are hereby adopted. (*Exhibit A is attached at the end of Minutes.*)

AND BE IT FURTHER RESOLVED, that the Township Clerk shall furnish a copy of this Resolution to the Cranbury Township Recreation Commission.

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Cranbury Township Resolution # R 06-11-078

WHEREAS, Cranbury Township has applied for \$25,013.00 from the Community Development Block Grant (CDBG) earmarked to be used for its Third Round Affordable Housing Program; and

WHEREAS, Cranbury Township has submitted its Third Round Affordable Housing Plan;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury it hereby requests the \$25,013.00 in grant monies be used to defray some of the costs related to assist in the development of or rehabilitate low-to-moderate income housing in the Township of Cranbury.

Reports from Township Staff and Professionals

-- Township Administrator

Ms Marabello stated the Township Committee already covered items she was going to discuss and had nothing additional to address.

-- Municipal Clerk/Assistant Administrator

Ms. Kathleen Cunningham stated she had two items to discuss with the Township Committee. She reported she received an e-mail from Mr. Mark Berkowsky, President of Cranbury Housing Associates, who is presently preparing the Township's site plan submission for the Route 130-D site. Originally the new road was intended to be called Orchard Court. Ms. Cunningham reported years ago she suggested not using Orchard Court because East Windsor has apartments called "The Orchard" and Cranbury has Orchardside Road. Mr. Cunningham explained from a Vital Statistics point of view, the closeness in name could be very confusing when issuing birth and death certificates. Mr. Berkowsky suggested some possible names, and ran the names by the Township's former Historian, Mrs. Betty Wagner. Ms. Cunningham thought it would be fitting for the Township Committee to select the name for the new road. Suggestions submitted by Mr. Berkowsky are: Apple Wood Court, Apple Tree Court, Apple Blossom Court, Red Apple Court, or Sweet Apple Court. Mr. Cook asked what the connection was to apples, and it was explained the entire site, including the Griggs Tract, was an apple orchard at one time. Mayor Cody asked Mr. Berkowsky if CHA had a preference, and he replied Apple Wood Court. The Township Committee all agreed the new road will be named Apple Wood Court.

Secondly, Ms. Cunningham reported a few years ago she applied for a Paris Grant for funding for Township records retention. She stated she has had many discussions with the Middlesex County Freeholder Clerk, Ms. Margaret Pemberton, who also runs the Middlesex County archiving facility in North Brunswick. Ms. Cunningham reported last year Cranbury Township paid over \$7,000 for archiving. She reported Ms. Pemberton did a comparison chart showing how much could be saved if the Township moves to the County facility. Ms. Cunningham stated the Township could enter into a Shared Services Agreement with the County, which could be very cost effective. Ms. Cunningham stated the County is very excited about the possible agreement and plans to offer it to other municipalities as well. The Township Committee requested a comparison on all archiving costs so the issue can be further addressed at the June 27th meeting.

Reports from Township Board and Commissions

Mr. Taylor reported Mr. Tom Weidner, Chairman of the Park Planning Commission, is not able to attend this evening's meeting. Mr. Taylor stated the Township Committee received letters from the Park Planning Commission and the Arts Council in support of a sculpture in Village Park. The Township Committee will discuss the sculpture at the July 25th meeting.

TOWNSHIP COMMITTEE MEETING
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Work Session

a). Discussion by the Township Committee on Township Holiday Early Closings.

Mayor Cody reported Ms. Marabello contacted the Township Committee via e-mail concerning closing Township offices at 1:00 p.m. on the Friday before Memorial Day. Mayor Cody stated there should have been a discussion at a Township Committee Meeting concerning the practice of closing the office early. He stated a meeting had taken place via e-mail because Ms. Marabello had taken a vote of the Township Committee members. Mr. Cody stated this is in violation of the Sunshine Law (Open Public Meetings Act). Mr. Mulligan reported no meeting took place nor was there a vote taken, and Mr. Taylor agreed. Mr. Mulligan stated Ms. Marabello was asking for the each individual member's opinion on closing the offices early. Ms. Marabello reported she had checked with the Township Attorney who indicated the e-mail did not violate the Sunshine Law. It was not considered a meeting because a vote was not taken, but rather a poll of individuals. Ms. Marabello explained there is no formal policy in place concerning early dismissal. In the past, early closing was left to the discretion of the Township Administrator. Ms. Marabello stated she wanted keep the Township Committee advised of the possible closing before Memorial Day and wanted to address early closings before future holidays. She stated the early dismissals would apply to the day before six (6) holidays. The days do not necessarily fall on Fridays. She said she had timesheets back through 2008 pulled to check for consistency in early closings. Mayor Cody asked if early closings applied to all Township employees and Police. Ms. Marabello said it did not apply to the Police. Mayor Cody asked if it impacted School or Library employees, and Ms. Marabello stated it does not apply to them. Mayor Cody asked if the Township Committee wanted to make this a policy. Mr. Taylor stated he agreed with leaving the decision to the Township Administrator. Discussion continued on the early dismissal being a morale booster and a way to say thank you to employees. Mr. Cook stated he was also comfortable with the decision to close early before holidays being at the Administrator's discretion.

Mr. Johnson stated his company does not give early dismissal because the business is tied to Wall Street. He stated the employees in his company are released early on the day before the Christmas holiday, so the Township's six (6) days seem excessive to him. He stated he has the same concern as Mayor Cody should residents arrive at Town Hall on an early dismissal day and find the offices closed. Mr. Cook stated early closings were a nice for employee morale, and as long as there is an emergency capability available, it should not be a complex issue.

Mr. Mulligan asked how much notification residents should receive of early closings. Mayor Cody stated 72 hours. Ms. Marabello stated closing the office for the Township picnic and holiday party should also be discussed. The Township Committee did not have an issue with closing the office for a few hours for the picnic or holiday party.

Mayor Cody asked if there was any public comment. Ms. Linda Scott, North Main Street, suggested the Township Committee ask other municipalities about their policies. She stated she is a Township employee who works a compressed work week and asked the Township Committee consider the fairness of giving early dismissal on Fridays. She stated employees working the compressed work week do not get time off, but must make up hours on Monday holidays. Mr. Taylor and Ms. Marabello stated that is what those employees agreed to when signing up for the compressed work week. Mr. Taylor stated the compressed work week policy is very clear. Ms. Marabello stated the early dismissal days would not always be on Fridays. Mr. Mark Berkowsky stated the decision should be left to the discretion of the Administrator. He further recommended the Township Committee not micromanage; otherwise the Township does not need an Administrator. Mayor Cody suggested doing a survey of other municipalities. He suggested if the Township wants to close early in the future, it must be announced to the public on the website, posted on the door and a message be placed on the Township main phone line. There was no additional public comment on this issue.

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Work Session

a). Discussion by the Township Committee on Township Holiday Early Closings (Continued)

Mr. Johnson suggested the early closings could be built into the Township calendar on Reorganization Day, but discussion continued whether or not it would be a policy. Mr. Taylor suggested the Township Committee make a decision because the July 4th holiday is fast approaching. It was decided closing the office early before the July 4th weekend would be left to the discretion of the Administrator. The notification will be announced to the public 72 hours prior and will contain an emergency contact number.

Mr. Mulligan stated he wanted to circle back to the beginning of the discussion and wanted to clarify to Mr. Cody and for the record that no vote was taken by Ms. Marabello. He stated it was a straw poll decision. He stated he needed to understand if the Administrator is able to poll the Committee members. Mayor Cody stated the Township Committee cannot discuss any item, hold a straw poll or vote outside of a Township Committee meeting. Mr. Mulligan stated the Township Committee members did not discuss anything amongst each other, but responded individually to Ms. Marabello. Mr. Taylor stated Ms. Marabello may get the Township Committee's opinions. Mr. Taylor explained the reason this issue surfaced was that Ms. Marabello requested the Township Committee's reaction to an early closing the Friday before Memorial Day weekend. He stated one member did not want the offices closed early. Since each member on the Township Committee has an equal say, and three members agreed individually to Ms. Marabello their approval to close early, the decision was made to close early.

Mr. Mulligan asked if going forward, there is any violation with Ms. Marabello asking the Township Committee members individually. Mayor Cody stated absolutely, and Mr. Taylor disagreed since he asked the same question last year. Mayor Cody read from the Open Public Records Act. Ms. Marabello suggested each Township Committee member speak directly with Mr. Steve Goodell, Township Attorney, concerning this issue. Ms. Marabello stated, upon Mr. Goodell's counsel, this was not a policy decision, but rather notification to the Township Committee of something she was going to do. Since there was controversy over the issue, Mr. Goodell stated closing the office was fine as long as there were three (3) members in agreement. Mr. Taylor stated the Committee was not creating policy, ordinances, resolutions or spending money, but was addressing an issue brought to their attention by the Administrator in the course of performing her duties. Mr. Cook stated it is not a change in policy, but rather an act by the Administrator to keep the offices running. Mayor Cody requested votes not be taken in the future, and Mr. Mulligan and Mr. Taylor stated there was not a vote taken. Mr. Taylor stated the Township Code does not allow the Township Committee as individuals to give direction to Township employees. Mr. Cook stated the Township Attorney has said there is no legal problem on how this was handled. The matter will be discussed again at the July 25th meeting.

b). Waiving the \$50 fee for the Outdoor Dining License.

Ms. Cunningham explained there is a \$50 fee charged each year to the restaurants in the Township for an Outdoor Dining License. The purpose of the Outdoor Dining Ordinance is to avoid excessive congestion on the sidewalks which could create hazards for pedestrians trying to walk. Ms. Cunningham stated the Planning Board stipulated by a drawing where tables and chairs should be placed on the sidewalk. The Planning Board drawing should be affixed on the restaurant wall, and the plan does not change from year to year. The fee is an annual fee due in January of each year, although the establishments typically come in when the weather gets nice. The Ordinance is enforced by Mr. Jeff Graydon, the Zoning Officer. Mr. Graydon agreed there should not be an annual fee for the Outdoor Dining License. Mr. Cook agreed the Ordinance should be amended to have the fee waived. Ms. Cunningham stated she can draft the Ordinance. The Township Committee agreed to introduce an amended Ordinance at the June 27th meeting. Ms. Cunningham indicated the Ordinance requiring the license only applies only to the Village Commercial properties.

TOWNSHIP COMMITTEE MEETING
June 13, 2011

Public Comment

The Mayor opened the meeting to public questions and comment. Mr. Robert Dillon, Hightstown-Cranbury Station Road, encouraged the Township Committee to keep Governor Chris Christie's letter of congratulations for the Civil War event.

Mr. Dillon asked if there was any comment on a request for a wall for the elevated Turnpike overpass. He stated the noise from the overpass will impact many residents and asked the Township Committee to have the bridge looked at.

Concerning the Riparian Ordinance, Mr. Dillon stated he will be attending the Planning Board meeting on Thursday evening. He stated the rules now in effect for Cranbury are good, and stated he understands some residents do not like having to get a waiver from the Planning or Zoning Boards to make changes on their property. He stated he felt litigation could result from the new Ordinance. Mr. Dillon stated he felt Township Committee members who own property along the lake or waterways should not be making comments or vote on this Ordinance. He stated the Committee member's opinion could be biased, and that person should excuse himself from the discussion. He further stated Mr. Art Hasselbach excuses himself during the Ordinance discussions at the Planning Board meetings. Mr. Cook stated he has property on Brainerd Lake, and if the perception is there is a conflict, he will recuse himself. Mr. Dillon stated he respects Mr. Cook's rights to his property, but stated he does not feel Mr. Cook should be making comments on this issue. Mr. Cook stated he will comment for informational purposes only, but will not vote on the issue. Mr. Cook stated at Counsel's direction, he did not need to recuse himself, but he stated if the perception is conflict, he understands and will recuse from the vote. Mr. Dillon stated that would be appreciated and respected.

Mr. Dillon commented on the Cranbury Press article concerning the complaint on the fire whistle. Mr. Dillon stated he wanted to voice his support for the Fire Department and First Aid Squad.

Mr. Cook addressed a letter received by the Township Committee from Mr. Dillon concerning a the property line issue. Mr. Cook reported he spoke with Mr. Bill Tanner, Township Engineer about the issue today. Mr. Dillon stated blacktop is periodically dropped on his corner and it has encroached on his property. Mr. Dillon stated he has picked up two pickup loads of blacktop off his lawn. Mr. Cook stated the issue will be addressed. Mr. Taylor thanked Mr. Dillon for his comments on the fire siren and stated since the changes were made, the fire siren goes off less than once a day.

Mr. Mulligan thanked Mr. Dillon and stated Mr. Dillon's comments about litigation are the reason he feels so strongly about having Ms. Valerie Kimson present to discuss the issue. Mr. Mulligan stated the Township Committee has had so many questions concerning the Riparian Ordinance, it is imperative to have professionals at the meeting. He also stated it is important to be able to speak in Closed Session with the Township Attorney to understand possible litigation.

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

Resolution

On a motion by Mr. Johnson, seconded by Mr. Taylor the following Resolution was adopted by vote:

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

Abstain: (None
Absent: (None

Nays: (None

TOWNSHIP COMMITTEE MEETING
June 13, 2011

Cranbury Township Resolution # R 06-11-079

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 (7)/Contract Negotiations”: Update on upcoming
F.O.P. # 68 Contract Negotiations.

It is unknown at this time precisely when the matters discussed in this session will be disclosed to the public. Matters involving contract negotiations or the acquisition of land will be disclosed upon conclusion of the negotiations or upon approval of the acquisition. Matters involving personnel will be disclosed when the need for confidentiality no longer exists. Matters concerning litigation will be announced upon the conclusion of trial or settlement of that litigation or when the need for confidentiality no longer exists.

Date: June 13, 2011

On motion by Mr. Johnson, seconded by Mr. Taylor and unanimously carried, the meeting adjourned at 10:00 p.m.

Jean Golisano, Deputy Clerk

Cranbury Township Fees for Athletic Fields.

Addendum A

Millstone: Small sided game field;

Organization	Min 3 Cranbury residents		Under 3 Cranbury residents	
	Per season*	Per game	Per season*	Per game
Cranbury Rec	No fee	No fee	N/A	N/A
Recognized Cranbury Sports programs	No fee	No fee	N/A	N/A
Recognized Cranbury Select	\$100	\$25	\$200	\$50
Recognized Non Cranbury Rec programs	\$200	\$50	\$250	\$75
Non recognized Rec Teams	\$200	\$50	\$250	\$75
Non recognized Select teams	\$200	\$50	\$250	\$75

*Per season: Max 8 games

West Property: Game fields

Organization	Min 3 Cranbury residents		Under 3 Cranbury residents	
	Per season*	Per game	Per season*	Per game
Cranbury Rec	No fee	No fee	N/A	N/A
Cranbury School Programs	No fee	No fee	N/A	N/A
Recognized Cranbury Sports programs	No fee	No fee	N/A	N/A
Recognized Cranbury Select	\$150 youth	\$50 youth	\$300 youth	\$75 youth
	\$300 adult	\$100 adult	\$600 adult	\$150 adult
Recognized Non Cranbury Rec programs	\$300	\$100	\$350	\$100
Non recognized Rec Teams	\$350	\$100	\$350	\$100
Non recognized Select teams	\$350	\$100	\$350	\$100

*Per season: Max 8 games

Village Park Baseball field - C1/C2 Youth only

Organization	Min 3 Cranbury residents		Under 3 Cranbury residents	
	Per season*	Per game	Per season*	Per game
Cranbury Rec	No fee	No fee	N/A	N/A
Cranbury School Programs	No fee	No fee	N/A	N/A
Recognized Cranbury Sports programs	No fee	No fee	N/A	N/A
Cranbury Residents	No fee	No fee	N/A	N/A
Recognized Cranbury Select	\$150	\$50	\$300	\$75
Recognized Non Cranbury Rec programs	\$300	\$100	\$350	\$100
Non recognized Rec Teams	\$350	\$100	\$350	\$100
Non recognized Select teams	\$350	\$100	\$350	\$100

*Per Team

Millstone Park Baseball Field

Organization	Min 3 Cranbury residents		Under 3 Cranbury residents	
	Per season*	Per game	Per season*	Per game
Cranbury Rec	No fee	No fee	N/A	N/A
Cranbury School Programs	No fee	No fee	N/A	N/A
Recognized Cranbury Sports programs	No fee	No fee	N/A	N/A
Cranbury Residents	No fee	No fee	N/A	N/A
Recognized Cranbury Select	\$150 youth	\$50 youth	\$300 youth	\$75 youth
	\$300 adult	\$100 adult	\$450 adult	\$100 adult
Recognized Non Cranbury Rec programs	\$250 youth	\$50 youth	\$350 youth	\$75 youth
	\$350 adult	\$100 adult	\$450 adult	\$100 adult
Non recognized Rec Teams	\$350 youth	\$75 youth	\$425 youth	\$100 youth
	\$600 adult	\$100 adult	\$750 adult	\$125 adult
Non recognized Select teams	\$350 youth	\$75 youth	\$425 youth	\$100 youth
	\$600 adult	\$100 adult	\$750 adult	\$125 adult

*per team

Village Park Softball field

Organization	Min 3 Cranbury residents		Under 3 Cranbury residents	
	Per season*	Per game	Per season*	Per game
Cranbury Rec	No fee	No fee	N/A	N/A
Cranbury School Programs	No fee	No fee	N/A	N/A
Recognized Cranbury Sports programs	No fee	No fee	N/A	N/A
Cranbury Residents	No fee	No fee	N/A	N/A
Recognized Cranbury Select	\$150 youth	\$50 youth	\$300 youth	\$75 youth
	\$300 adult	\$100 adult	\$450 adult	\$100 adult
Recognized Non Cranbury Rec programs	\$250 youth	\$50 youth	\$350 youth	\$75 youth
	\$350 adult	\$100 adult	\$450 adult	\$100 adult
Non recognized Rec Teams	\$350 youth	\$75 youth	\$425 youth	\$100 youth
	\$600 adult	\$100 adult	\$750 adult	\$125 adult
Non recognized Select teams	\$350 youth	\$75 youth	\$425 youth	\$100 youth
	\$600 adult	\$100 adult	\$750 adult	\$125 adult

*Per team

Wright Property South Baseball Field

TBD