

TOWNSHIP COMMITTEE MEETING
April 12, 2010

The regular meeting of the Township Committee of the Township of Cranbury was held at 7:00 p.m. in the Large Group Room at the Cranbury School. Answering present to the roll call were: Township Committee members: David Cook, Richard Stannard, James Taylor and Mayor David Stout. Mr. Cody was absent. Also present were: Kevin Van Hise, Esquire, Attorney; Christine Smeltzer, Administrator and Kathleen R. Cunningham, Clerk. Mayor Stout led in the salute to the flag and Ms. Cunningham gave the following Open Public Meetings Act statement:

In accordance with Section 5 of the Open Public Meetings Act, it is hereby announced and shall be entered into the minutes of this meeting that adequate notice of this meeting has been provided:

- (1) Posted on December 3, 2009 on the Bulletin Board of the Municipal Office at 23-A North Main Street, Cranbury, New Jersey and remains posted at that location.
- (2) Communicated to the Cranbury Press, Home News Tribune and Trenton Times on December 3, 2009.
- (3) Was filed on December 3, 2009 at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey, posted on the Township's web site and remains on file for public inspection, and
- (4) Sent to those individuals who have requested personal notice.

Ms. Cunningham announced a notice for the change in location had been sent to the newspapers, etc. on March 29, 2010.

Regular Township Committee Minutes of March 8, 2010

On motion by Mr. Taylor, seconded by Mr. Cook and unanimously carried the Regular Township Committee Minutes of March 8, 2010 were adopted.

Closed Session Committee Minutes of March 8, 2010

On motion by Mr. Taylor, seconded by Mr. Cook and unanimously carried, the Closed Session Township Committee Minutes of March 8, 2010 were adopted.

Regular Township Committee Minutes of March 22, 2010

On motion by Mr. Taylor, seconded by Mr. Cook and unanimously carried, the Regular Township Committee Minutes of March 22, 2010 were adopted.

Closed Session Committee Minutes of March 22, 2010

On motion by Mr. Taylor, seconded by Mr. Cook and unanimously carried, the Closed Session Township Committee Minutes of March 22, 2010 were adopted.

The Township Committee reviewed a memo prepared by the Township Attorney recommending partial (some portions redacted) of the following Closed Session Minutes and unanimously agreed on the Township Attorney's recommendations as follows:

October 22, 2007 to be redacted permanently due to the nature of the subject (Personnel issue).

October 27, 2008 remain redacted and then reviewed again in six (6) months as this issue is still pending.

July 13, 2009 newly redacted information (releasing some of the previously redacted information) released to the public in this form permanently due to Attorney/Client Privilege.

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Reports and Communications

---Mayor

Mayor Stout stated the Master Plan subcommittee had met and reported the resolution on the Agenda this evening is to appropriate monies for the preparation and execution of a complete Master Plan update. Mayor Stout indicated the approximate costs will be \$75,000 for the Township Planner and \$25,000 for the Township Engineer and Traffic Consultant and, if necessary, money for Township Code revisions. The costs will be spread out over a five-year period of time. He reported on April 13, 2010 there is a "community meeting" on the Master Plan Update.

Mayor Stout reported he had attended the opening day ceremony for the Plainsboro/Cranbury Little League on Saturday, April 10, 2010.

Mayor Stout also reported receiving two (2) letters from New Jersey American Water Company. One letter was to inform the Township they will be "flushing" the water mains in the Township during the week of May 2nd through May 7th. The second letter was to inform the Township they will be petitioning the Board of Public Utilities for a rate increase.

Mayor Stout reported the Township has received a request from Bob Sheehan, Plainsboro Township's Administrator, to participate in a feasibility study for dispatching services. The Township's share to participate in the study will be approximately \$11,300. Ms. Smeltzer was asked to call Bob Sheehan, Plainsboro Township Administrator, to inquire whether or not Cranbury would have to pay this amount as the Township is much smaller than the other towns who are participating in the study.

Mayor Stout reported he will be attending the New Jersey Conference of Mayors' Annual Conference in Atlantic City from April 28- 30th.

---Members of Committee

---Mr. Taylor

Mr. Taylor stated he wants the public to know the Master Plan Review is independent of the Old Trenton Road issue.

Mr. Taylor reported he had met with Public Works Director, Jerry Thorne. During the month of March, Public Works chipped two (2) out of the three (3) weeks. Mayor Stout announced the Spring Cleanup will be held on May 1st and May 2nd. Mr. Taylor also reported the 509 Dump Truck had to be repaired as the fuel tank dropped out. The cost of the repair was \$338.90. Mr. Taylor also thanked the Public Works Department for their prompt response in replacing a tattered flag at Heritage Park (a resident had called in with the complaint).

Mr. Taylor reported he had met with the Construction Department and for the month of March there were \$3,566 in permit funds collected, 257 inspections were performed, and 14 non-residential Certificates of Approval were issued and 59 residential Certificates of Approval were issued.

Mr. Taylor reported there were a total of eight (8) fire calls during the month of March; three (3) day calls and five (5) evening calls. Public Works employees had a 100% attendance during the day. One fine was issued for a false alarm. The Fire Company has two (2) new members and one (1) cadet member. Mr. Taylor reported the First Aid Squad had 38 calls, seven (7) evening calls, one (1) mutual aid, and two (2) calls on the Turnpike and ten (10) at the Elms.

Mr. Cook reported on recent COAH news: He had recently received a communication from the New Jersey State League of Municipalities indicating with the proposed Senate Bill (S-1-

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Reports and Communications (Continued)

---Members of Committee (cont'd)

---Mr. Cook (cont'd)

Lesniak), the definition for compliance in this proposed legislation will be 7 ½% of the Township's total housing inventory. He reported the Fair Share Housing group, who are opposing the legislation, is stating compliance should be 10%. Mr. Cook reported a floor vote on S-1 is scheduled in May because the Legislature is presently conducting Budget hearings.

---Mr. Stannard

Mr. Stannard reported he had received a letter from The Cranbury Lions Club requesting the Township Committee march in the Memorial Day Parade, Monday, May 31st at 1:00 p.m. (formation at 12:30 p.m.) All members of the Township Committee unanimously agreed to march.

Agenda Additions/Changes

Ms. Cunningham, Clerk, announced under the Work Session, item c. will be discussed first, followed by item a. and then item b.

Ms. Cunningham also announced Resolution # 04-12-057 was being added and then asked Mayor Stout to read the resolution:

Resolution

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

Ayes:

(Cook
(Stannard
(Taylor
(Stout

Abstain: (None
Absent: (Cody

Nays: (None

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 04-10-057

WHEREAS, Edward L. Kahler, III ("Ed") graduated from the 43rd Basic Training Class at the Middlesex County Police Academy on June 14, 1985; and

WHEREAS, Ed was appointed to the position of Police Officer for Middlesex County College in Edison, New Jersey in November, 1984; and

WHEREAS, Ed was appointed to the position of Police Officer for the Township of Cranbury on July 1, 1986; and

WHEREAS, Ed quickly moved up the ranks within the Police Department; appointed to Sergeant on July 26, 1999, Lieutenant on February 25, 2002, Captain on January 1, 2004 and appointed to Chief on June 1, 2008; and

WHEREAS, Ed graduated from the FBI Mid-Atlantic Law Enforcement Executive Development Academy in June 2005; and

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Cranbury Township Resolution # R 04-10-057
(Continued)

WHEREAS, during his career with Cranbury Township, Ed became involved in many community programs; having initiated the Drug Abuse Resistance Program (D.A.R.E.) in the Cranbury Elementary School and served as the Department's first D.A.R.E. Officer/Instructor, served on the Township's Municipal Alliance Committee on Drug Abuse and Alcoholism, and also served as Cranbury Township's Office of Emergency Management Coordinator for many years; and

WHEREAS, Ed is also a member of the International Chiefs of Police, New Jersey State Association of Chiefs of Police and the Middlesex County Association of Chiefs of Police; and

WHEREAS, Ed throughout his many years with Cranbury Township, has demonstrated enthusiasm and great professionalism; and

WHEREAS, Ed has done an exceptional job of leading 18 of "Cranbury's Finest" to achieve the great reputation they have today;

WHEREAS, Ed has decided it is now time to move forward to the next phase of his life and retire as Chief of the Cranbury Township Police Department;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that Ed is wished good health, best wishes and congratulations on a commendable career in law enforcement; and

BE IT FURTHER RESOLVED a duly authenticated copy of this resolution be presented to Ed Kahler with much gratitude and thanks.

Mayor Stout thanked Chief Kahler for his many years of service and for always being very "responsive and prompt".

Ordinance
First Reading

Cranbury Township Ordinance 04-10-02

An Ordinance entitled, "Cranbury Township Ordinance 04-10-02, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY AMENDING "AN ORDINANCE FIXING THE SALARIES, WAGES AND BENEFITS FOR VARIOUS OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF CRANBURY PROVIDING FOR THE MANNER OF PAYMENT THEREOF, AND RATIFYING SALARIES AND PAYMENTS TO EMPLOYEES AND OFFICIALS PREVIOUSLY PAID", was introduced for first reading. On motion by Mr. Stannard, seconded by Mr. Cook, the Ordinance was passed on first reading by vote:

Ayes: (Cook	Abstain: (None
(Stannard	Absent: (Cody
(Taylor	
(Stout	

Nays: (None

Public Hearing: April 26, 2010

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SECTION 1. The following salaries, wages and fees shall be paid to the various Township Officials and employees of the Township of Cranbury as hereinafter specified, effective, January 1, 2010 unless otherwise noted:

TITLE	ANNUAL SALARY RANGE		Minimum Hourly Rate	Maximum Hourly Rate
	Minimum Salary	Maximum Salary		
Mayor - Part Time	\$5,000	\$10,000		
Township Committee - Part Time	\$4,000	\$8,000		
Township Administrator/CFO - Full Time	\$90,000	\$130,000		
Township Clerk/Registrar - Full Time	\$45,000	\$80,000		
Tax Assessor - Part Time	\$20,000	\$55,000		
Tax Collector – January Only	\$3,700	\$3,800		
Zoning Officer - Part Time	\$5,000	\$10,000		
Chief of Police - Full Time	\$90,000	\$140,000		
Construction Official/Building Inspector - Full Time	\$60,000	\$90,000		
Building Sub-Code/Building/Fire Inspector – Full Time	\$50,000	\$80,000		
Building Inspector - Part Time	\$20,000	\$50,000		
Plumbing Inspector - Part Time	\$20,000	\$50,000		
Electrical Inspector/Asst Fire Inspector - Part Time	\$20,000	\$50,000		
Fire Sub Code Official - Part Time	\$6,000	\$7,000		
Sewer Superintendent	\$5,000	\$10,000		
Fire Official - Part Time	\$15,000	\$30,000		
Director of Recreation - Part Time	\$8,000	\$20,000		
Summer Recreation Supervisor – Seasonal	\$4,000	\$5,000		
Summer Program Director – Seasonal	\$6,000	\$7,000		
Summer Program Employees – Seasonal			\$5.00	\$9.00
Assistant Fire Official – Part Time			\$15.00	\$20.00
Assistant Administrator/Director Of Finance/Treasurer – Part Time			\$46.00	\$62.00
Deputy Treasurer/Payroll Clerk/Tax Clerk/Sewer Supervisor – FT			\$16.00	\$28.00
Accounts Payable/Sewer Collector - FT			\$16.00	\$27.00
Purchasing Agent/Accounts Payable Clerk/Finance Assistant – FT			\$20.00	\$30.00
Assistant to the Assessor/Payroll Supervisor – FT			\$16.00	\$28.00
Deputy Clerk/Deputy Registrar - Full Time			\$13.00	\$31.00
Tax Collector – Part Time			\$25.00	\$35.00
Assessing Clerk – PT			\$20.00	\$30.00
Planning Admin. Officer/InfoSystems Coord - FT			\$21.00	\$32.00
Police Administrative Assistant - Full Time			\$18.00	\$30.00
School Crossing Guards - Part Time			\$11.00	\$20.00
Technical Assistant/Alt Deputy Registrar - FT			\$13.00	\$31.00

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Certified Public Works Mgr/Small Animal Control Officer – FT	\$19.00	\$43.00
Public Works Admin Asst/ Recycling Coordinator - FT	\$20.00	\$32.00
Heavy Equipment Operator/Foreman - Full Time	\$20.00	\$45.00
Public Works Mechanic - Full Time	\$15.00	\$35.00
Sewer Assistant - Full Time	\$15.00	\$35.00
Public Works Employees - Full Time	\$15.00	\$35.00
Part Time Help	\$18.00	\$50.00
Temporary Help	\$12.00	\$30.00
Emergency Incentive First Aid or Fire Responders	\$1.00	\$1.00
Board Secretary - Part Time	\$13.00	\$25.00
LOSAP - not to exceed 4% retroactive to year end 2009	\$1,481	\$1,481

PAID HOLIDAYS for 2010

All non-bargaining unit full-time employees and certain part-time employees, shall be entitled to eleven (11) paid holidays annually as follows:

1. New Years Day
2. Martin Luther King Day
3. President's Day
4. Good Friday
5. Memorial Day
6. Independence Day
7. Labor Day
8. Veteran's Day
9. Thanksgiving Day
10. Friday after Thanksgiving Day
11. Christmas

HEALTH BENEFITS

Full-time employees are eligible to enroll in the Township's health benefit programs. For purposes of determining eligibility, a full-time employee is defined as one who works a minimum of thirty-hours a week.

Effective January 1, 2010 all employees (with the exception of members of the FOP #68) who are enrolled in the health benefits program shall be required to contribute one half of one percent of their annual base salary toward the cost of their health insurance premiums. Beginning on the effective date of P.L. 2010, c. 2 (May 22, 2010), this cost-sharing requirement shall be deemed to be superseded by, and shall not be in addition to, the applicable cost-sharing requirements set forth in said law.

POLICE DEPARTMENT

The Police Chief shall receive salary increases, longevity, perfect attendance payments, sick leave, holidays or holiday pay, physical exams, clothing allowances and retiree health benefits in accordance with the Police Contract. The Police Chief is an overtime exempt employee. The Police Secretary shall receive a clothing allowance of \$700.00 per year and the School Crossing guards shall receive a clothing allowance of \$275.00 per year. These expenses will be reimbursed by voucher and approved by the Chief of Police.

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SECTION II.

If any section, paragraph, sentence, clause or phrase in the Ordinance is for any reason held or determined to be unconstitutional or invalid, the same shall not affect the remainder of this Ordinance.

SECTION III.

All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed.

SECTION IV.

This ordinance shall take effect upon its passage and publication according to law.

Ordinance
First Reading

Cranbury Township Ordinance 04-10-03

An Ordinance entitled, "Cranbury Township Ordinance 04-10-03, AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$125,000 FOR THE PREPARATION AND EXECUTION OF A COMPLETE MASTER PLAN UPDATE IN AND BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY", was introduced for first reading. On motion by Mr. Taylor, seconded by Mr. Cook, the Ordinance was passed on first reading by vote:

Ayes: (Cook
(Stannard
(Taylor
(Stout

Abstain: (None
Absent: (Cody

Nays: (None

Public Hearing: April 26, 2010

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$125,000 FOR THE PREPARATION AND EXECUTION OF A COMPLETE MASTER PLAN UPDATE IN AND BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AS FOLLOWS:

Section 1. The preparation and execution of a complete update of the Master Plan to conform to the planning laws of the State in and by the Township of Cranbury is hereby authorized, and a special emergency appropriation of \$125,000 is hereby authorized pursuant to the Local Budget Law (N.J.S.A. 40A:4-53).

Section 2. A copy of this ordinance as finally adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

Section 3. This ordinance shall take effect in accordance with applicable law.

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Resolution
Consent Agenda

On motion offered by Mr. Stannard, seconded by Mr. Cook, the following Consent Agenda Resolutions were adopted by vote:

Ayes:	(Cook	Abstain:	(None
	(Stannard	Absent:	(Cody
	(Taylor		
	(Stout		

Nays: (None

Cranbury Township Resolution # R 04-10-049

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

Cranbury Township Resolution # R 04-10-050

TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY

A RESOLUTION AWARDING PROFESSIONAL SERVICES AGREEMENTS

WHEREAS, the Township wishes to hire the following firms (collectively "Professionals") to provide professional services to the Township during the calendar year 2010 as follows:

- a). McManimon & Scotland LLC – Bond Counsel
- b). Ruderman & Glickman – Labor Counsel

WHEREAS, the costs for the services to be provided by the Professionals are set forth in their respective proposals submitted to the Township, which are incorporated herein as if fully restated; and

WHEREAS, the Township has a need to acquire the foregoing services without a "Fair and Open Process" as defined by P.L. 2004, c. 19, the "Local Unit Pay-to-Play Law"; and

WHEREAS, the Professionals have completed and filed with the Township Campaign Contributions Affidavits as required by N.J.S.A. 19:44A-20.2 *et seq.* certifying that they have not made any prohibited contributions to a candidate's committee or municipal committee representing the elected officials of the Township of Cranbury, along with Certifications Regarding Political Contributions as required by N.J.S.A. 19:44A-20.26; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.* authorizes the award of these contracts without public bidding on the basis that they are professional services agreements; and

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for these purposes and that the value of each Agreement will exceed \$17,500.00;

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

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Cranbury Township Resolution # R 04-10-050
(Continued)

1. The Township of Cranbury hereby approves the following firms to provide professional services to the Township during the calendar year 2010:
 - a). McManimon & Scotland LLC – Bond Counsel
 - b). Ruderman & Glickman – Labor Counsel
2. The Mayor and Clerk are hereby authorized and directed to enter into Professional Services Agreements with the aforementioned professionals pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.* These contracts are being awarded without competitive bidding as Professional Services Agreements under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons by law to practice recognized professions and whose practice is regulated by law.
3. A copy of this Resolution, the pay-to-play forms, and the executed Agreements and insurance certificates shall be placed on file in the Office of the Township Clerk.
4. A brief notice of this action shall be published in a newspaper of general circulation in the Township of Cranbury within ten (10) days of its passage.

Cranbury Township Resolution # R 04-10-051

A RESOLUTION AUTHORIZING THE FILING OF A RECYCLING TONNAGE GRANT

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the **2009 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury that Cranbury Township hereby endorses the submission of the recycling tonnage grant

TOWNSHIP COMMITTEE MEETING
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Cranbury Township Resolution # R 04-10-051
(Continued)

application to the New Jersey Department of Environmental Protection and designates Linda S. Scott, Recycling Coordinator, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 04-10-052

WHEREAS, pursuant to the Solid Waste Management Act, N.J.S.A. 13:1E-1, et seq., each county within the State of New Jersey is deemed a solid waste management district; and

WHEREAS, each solid waste management district is responsible for developing a solid waste management plan that sets forth the strategy for disposing and/or recycling of solid waste generated within the geographic boundaries of the respective county; and

WHEREAS, the Board of Chosen Freeholders (the "Board") of the County for Middlesex (the "County") has adopted the Middlesex County Solid Waste Management Plan, as the same has been amended from time to time (the "County Plan"); and

WHEREAS, the County Plan designates the Middlesex County Improvement Authority (the "Authority") as the sole implementing agency responsible for the implementation of the County's Recycling Plan; and

WHEREAS, the Township of Cranbury, Middlesex County, State of New Jersey, is desirous of contracting with the Authority, as more fully set forth in the attached "Agreement for the Provision of Recycling Collection and Marketing Services of Designated Recyclables";

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, in the County of Middlesex, that the above referenced Agreement with the Middlesex County Improvement Authority be executed by the Township Business Administrator and Township Clerk; and

BE IT FURTHER RESOLVED that the term of this Agreement shall commence on April 5, 2010 and shall continue until April 4, 2015, unless this Agreement is earlier terminated, as provided herein.

Cranbury Township Resolution # R 04-10-053

**A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT FOR
ENGINEERING SERVICES TO WILLIAM C. TANNER, P.E. ASSOCIATE
AND
VAN CLEEF ENGINEERING ASSOCIATES**

WHEREAS, N.J.S.A. 40:55D-71(b) authorizes the Township of Cranbury (TOWNSHIP) to employ, contract for and fix the compensation of its engineer and other experts and staff as it deems appropriate for the period January 1, 2010 to December 31, 2010; and

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Cranbury Township Resolution # R 04-10-053
(Continued)

WHEREAS, pursuant to the "fair and open process" as defined by P.L. 2004, c. 19 (the "Local Unit Pay-to-Play Law"), the Township has solicited proposals for the position of Township Engineer; and

WHEREAS, WILLIAM C. TANNER, P.E., ASSOCIATE and VAN CLEEF ENGINEERING ASSOCIATES (ENGINEER) submitted a proposal dated March 3, 2010, offering to provide professional engineering services to the TOWNSHIP for the period January 1, 2010 to December 31, 2010, in accordance with the rates and costs set forth in the contract attached hereto; and

WHEREAS, TOWNSHIP has determined that the value of the contract over the above-referenced period will exceed \$17,500.00; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, authorizes the award of this contract without public or competitive bidding on the basis that it is a professional services agreement; and

WHEREAS, the Cranbury Township 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, in Middlesex County, New Jersey, as follows:

1. The Township of Cranbury hereby appoints WILLIAM C. TANNER, P.E. ASSOCIATE, to provide engineering services to the TOWNSHIP for the period January 1, 2010 to December 31, 2010.
2. The Mayor and Clerk are hereby authorized and directed to enter into a Professional Services Agreement with the aforementioned engineers pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. This contract is being awarded without competitive bidding as a Professional Services Contract under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons authorized by law to practice a recognized profession and whose practice is regulated by law.
3. A copy of this Resolution, the Certification of Contract Value, and the executed Agreement shall be placed on file in the office of the Township Clerk.
4. A brief notice of this action shall be published in a newspaper of general circulation in the Township of Cranbury within ten (10) days of its passage.

Cranbury Township Resolution # R 04-10-054

TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY

A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT

WHEREAS, the Township wishes to hire the following firm to provide professional services to the Township during the calendar year 2010 as follows:

- a). Hatch Mott MacDonald – Sewer Fair Share Study

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Cranbury Township Resolution # R 04-10-054
(Continued)

WHEREAS, the costs for the services to be provided by the Professional are set forth in their respective proposals submitted to the Township, which are incorporated herein as if fully restated; and

WHEREAS, the Township has a need to acquire the foregoing services without a "Fair and Open Process" as defined by P.L. 2004, c. 19, the "Local Unit Pay-to-Play Law"; and

WHEREAS, the Professional has completed and filed with the Township Campaign Contributions Affidavits as required by N.J.S.A. 19:44A-20.2 *et seq.* certifying that they have not made any prohibited contributions to a candidate's committee or municipal committee representing the elected officials of the Township of Cranbury, along with Certifications Regarding Political Contributions as required by N.J.S.A. 19:44A-20.26; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et. seq.* authorizes the award of these contracts without public bidding on the basis that it is a Professional Services Agreement; and

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for these purposes;

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

1. The Township of Cranbury hereby approves the following firm to provide professional services to the Township during the calendar year 2010:
 - a). Hatch Mott MacDonald – Sewer Fair Share Study
2. The Mayor and Clerk are hereby authorized and directed to enter into a Professional Services Agreement with the aforementioned professional pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.* This contract is being awarded without competitive bidding as a Professional Services Agreement under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons by law to practice recognized professions and whose practice is regulated by law.
3. A copy of this Resolution, the pay-to-play forms, and the executed Agreement and insurance certificate shall be placed on file in the Office of the Township Clerk.
4. A brief notice of this action shall be published in a newspaper of general circulation in the Township of Cranbury within ten (10) days of its passage.

Cranbury Township Resolution # R 04-10-055

WHEREAS, Block 2 Lot 5, owner of record is N.J. Turnpike Authority, was made exempt for 2010 and the first half year's taxes were canceled per Resolution # 03-10-047;

WHEREAS, the previous owner of record that sold the property to the N.J. Turnpike sent payment for the February 2010 tax quarter;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the following overpayment be refunded:

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Cranbury Township Resolution # R 04-10-055
(Continued)

Block	Lot	Name	Amount
2	5	Ronald & Nancy Witt	\$ 5,311.54

Reports from Township Staff and Professionals

Report from Township Engineer on Brainerd Dam and Liberty Way Bridge

Mr. William C. Tanner, P.E., Associate, Van Cleef Engineering, Township Engineer, reported the Township presently has two (2) Agreements with the County in place; for Brainerd Dam (2009) and Liberty Way Bridge (2003). Mr. Tanner explained the plan for the Liberty Way Bridge is to connect Route 130 parallel to South River Road. However, the Township would have to commit to a lot of money for the Bridge to be built. Mr. Tanner indicated he had met with the County and per Paragraph 4k of the Agreement for the Bridge, if the Township pulls out, the Township is still responsible for engineering fees thus far which amount to \$732,000. The County conveyed to Mr. Tanner if the Township is released of the paragraph 4k portion of the Agreement, they would like to "swap" and be released from their monetary share of the Brainerd Dam Agreement for repairs. Mr. Tanner stated as the Liberty Way project is a mitigation area, for every one (1) acre taken, the Township would have to replace with two (2) acres. Mayor Stout recommended this be presented to the Master Plan subcommittee as the Bridge does appear on the Township's Master Plan.

Report from Township Administrator

Ms. Smeltzer reported she had recently spoken with Mr. Jeff Graydon, Director of Fields and the baseball field work will be finalized this week. Ms. Smeltzer also reported Jerry Thorne, Public Works Director, recently completed all of his recycling courses and is now certified.

Report from Police Chief Edward Kahler

Chief Kahler gave his monthly report for the month of March, 2010. Chief Kahler reported there were 143 summonses issued; 15 for speeding, cell phone violations -12, expenditures (highest to lowest) were shift coverage, training/departement meeting and prisoner transports. He reported the Department has not received any communications regarding its reimbursement request related to the snowstorms. The Department has submitted a preliminary damage assessment form for the March flood. The Traffic Bureau reported there were 14 crashes in March and the Detective Bureau reported 14 new investigations and closed eight (8) investigations. Chief Kahler reported there is a CERT meeting scheduled for April 20th. He added the State is not sponsoring any new training so starting a new class for volunteers will have to be delayed. He also reported the Department submitted a preliminary damage assessment form for the most recent wind/flood event. Public Works filled and used sandbags purchased from the OEM account to contain flooding on Main Street. Chief Kahler reported the vehicle mileage for the month of March was 13,685. There were 12 arrests for the month; D.W.I. -4, Assault -0, Burglary-2, Theft/Shoplifting-3, Warrants-1 and CDS (Drugs)-2.

Chief Kahler also reported two officers who were standing on Route 130 after completing a motor vehicle stop were nearly struck by an alleged intoxicated driver. The driver was alleged to have been under the influence of a Controlled and Dangerous Substance (C.D.S.). He stated this latest incident demonstrates that intoxicated drivers are moving away from alcohol and using prescription street drugs. Fortunately, Cranbury's Police Department has a Drug Recognition Expert and has been successfully able to prosecute cases of driving while under the influence of controlled and dangerous substances.

Chief Kahler reported Mr. Craig Sharon sent a letter commending Officer DeChiara for his assistance with his disabled vehicle on Route 130. Also, Chris and Sam Parker sent a letter

TOWNSHIP COMMITTEE MEETING
April 12, 2010

Reports from Township Professionals and Staff (Continued)
Report from Police Chief Edward Kahler (cont'd)

commending the Cranbury Township Public Works Department and the Police Department for their work during the March 13th wind/flood event. In addition, Megan and Dan Pease sent a thank you note to Sergeant Frank Dillane and Officer DeChiara for their efforts installing the couple's child safety seats.

Work Session

- a). Discussion by STV Incorporated (hired by Colonial Pipeline) for Upcoming Project
Mr. Terry Mock, Right-of-Way Consultant for Colonial Pipeline, presented a power point presentation on the upcoming project that will take place adjacent to the New Jersey Turnpike. Mr. Mock explained because of the upcoming Turnpike Widening Project (involving a 35 mile stretch), Colonial Pipeline has to relocate underground pipelines that currently run parallel to the eastern side of the Turnpike. Approximately 12 miles of pipeline owned and operated by Colonial Pipeline Company must be moved and will begin in 2010 and proceed simultaneously at 18 separate locations. Work should finish in 2011. Landowners will be contacted by the New Jersey Turnpike Authority to secure easements for pipeline relocation. A Colonial Pipeline representative will also contact landowners to answer questions related to pipeline relocation activities. Mr. Robert Dillon, Hightstown-Cranbury Road, asked how many homes will be taken due to the pipeline relocation. Mr. Mock responded none as the pipeline is on the eastern side of the Turnpike.
- b). Old Trenton Road Improvements – Status Update on County Activity
The Township Committee discussed with residents the Old Trenton Road improvements and the status of the County's activity. Following is a summary of the discussion: Mayor Stout gave a brief history of the Old Trenton Road issue, explaining discussions began in 2005 and then followed by a Township Committee Traffic Meeting in 2006 as several residents had signed a petition to the Township Committee requesting action be taken on the on-going traffic issues. At this time the Township's Assembly representatives and State Senator Bill Baroni were asked to assist the Township to have the speed limit lowered to 40 m.p.h. The Township hired a Traffic Consultant, Andrew Feranda, Shropshire Associates, to conduct a study. The Traffic Study results showed 85% of the vehicles were driving on Old Trenton Road at speeds of 52-54 m.p.h. Mr. Feranda at that time recommended installing left-hand turn lanes at various intersections on Old Trenton Road to "calm traffic" and re-alignment of the driveway to Millstone Park. Mayor Stout reported there were many letters written to the County however, the requests were rejected. In October, 2009 the Township Committee held another meeting and had another speed study conducted which resulted in the same results. He stated the County plans to widen Old Trenton Road at Millstone/Farmstead Way & South Main Street & Old Trenton Road intersections. The major area of concern seems to be Farmstead Way. Mr. Taylor stated Mr. Cody could not be present this evening however, asked him to read the following on Mr. Cody's behalf:

"I regret that business commitments will have me out of town on April 12 and I will be unable to the township committee meeting. I wanted to comment on the proposed road work for Old Trenton Rd. While I had heard of some preliminary plans to add some turn lanes and realign the entrance of Millstone Park. I had been unaware of any road widening. While it is a county road, I feel the county has an obligation to inform and discuss major road work with the affected towns. The preliminary plan, done in 2006-2007, had turn lanes was intended to calm traffic by redirecting through lanes and prevent dangerous situations where cars are passing turning vehicles. There was no road widening in those early plans. I realize that all parties are working with good intentions but the most important thing we need to consider is the safety issues on Old Trenton Rd. This is a dangerous residential road which children use to go to the park or swim club and ride their bikes alongside

TOWNSHIP COMMITTEE MEETING
April 12, 2010

Work Session (Continued)

- b). Old Trenton Road Improvements – Status Update on County Activity(cont'd)
cars traveling speeds that exceed the 50 MPH limit. There are many driveways on the road. The town has attempted on numerous occasions, unfortunately without good results, to lower the speed limit to a more sensible 40 MPH. While I still do not know exactly what is in the proposed plan by the county, it sounds as if it could be more dangerous leading to even more speeding. by widening the roads, removing trees, moving telephone poles, narrowing the shoulder bring traffic closer to pedestrians and possibly removing some sidewalks (based on looking at the red flags).

I would like the Cranbury Township Committee to send a letter to the county requesting a public hearing of the proposed changes to the road. The county should present their proposed changes and hear comments and feedback from the Township Committee and residents. This hearing should be done prior to any work be commenced.”

Mr. Cook asked the Township Engineer, Mr. William Tanner, to describe what motivations the County may have. Mr. Tanner stated he had attended a “pre-con meeting” at the County and had spoken with the Township’s Traffic Engineer, Mr. Andrew Feranda. 85% is a very hard and fast rule when speed studies are done and Old Trenton Road is really designed for higher speeds due to the road being a straight roadway. Mr. Tanner stated the use of turning lanes may slow down traffic somewhat. He also spoke with a design engineer who recommended to not widen Old Trenton Road at the Ancil Davison Road intersection. Mr. Tanner stated he would like to see the speed limit lowered to 40 m.p.h. and feels if the striping works, the speeding cars will slow down and by narrowing the road it will be much safer. Mr. Stannard reported when he lived in Cranbury Green the volume of the traffic going through the development were going at speeds of 50 m.p.h. even though the speed limit was lowered to 40 m.p.h. Mr. Taylor stated he disagrees with the road widening and raised his concern issues were not raised by the Township’s Engineer. Mayor Stout responded the Township was not made aware of any road widening project and the County was having dialogue with the homeowners. Mr. Stannard reported the former Township Engineer always kept the Township informed of any discussions she had with the County and/or State. Mayor Stout asked for comments from the public:

Public Comment:

Mr. Rob Diamond, 60 Old Trenton Road, asked the Township Engineer the proposed width of the road. Mr. Tanner responded 6 feet. Mr. Diamond stated his property is being taken by the County. He stated the roadway design with left turn lanes at various intersections makes sense. However, the implementation of how the roadway is being designed is not being done as it should be. Mr. Diamond stated he feels widening will encourage speeders and attract more traffic as well as longer backups at South Main Street and Millstone Park. He added the truck traffic at 4:00 a.m. seems to be getting worse. He recommended the Township get in touch with the County to have the widening project stopped at once to give residents time to voice their sentiments. Mr. Taylor asked how many accidents have occurred on Mr. Diamond’s property where someone has hit one of his trees. Mr. Diamond indicated there have been four (4) accidents. Mr. Taylor asked if the home is historical and Mr. Diamond indicated it is and there is an on-going problem with cracking plaster, etc. due to the heavy volume of vehicular traffic. Mr. Cook inquired if the County gave Mr. Diamond any rationale for doing the widening and Mr. Diamond indicated they will not speak with him when he calls. Mr. Mohan Gawande, 1 Lynch Way, reported two (2) years ago a vehicle traveling eastbound

TOWNSHIP COMMITTEE MEETING
April 12, 2010

Work Session (Continued)

b). Old Trenton Road Improvements – Status Update on County Activity(cont'd)

flipped into a hedge on his property and stated lowering the speed limit will save lives. Mr. David Tsui, 52 Old Trenton Road, stated he has also noticed stakes on his property (on the bend heading south towards Trenton). Mr. Tanner explained that is one of the locations where the County plans to widen the road and they will be replacing any sidewalks they take out. Mr. Curt Lindberg, Ancil Road and Old Trenton Road, stated several years ago the County installed guardrails which are very dangerous to bikers and pedestrians. Mr. Lindberg also reported there is flooding at this intersection. Mr. Tanner responded it is his understanding the County was having a problem with D.E.P. approvals to fix the problem, however they plan to re-visit this issue. Mr. Tanner also stated he had spoken with Mayor Stout today and suggested Mayor Stout ask the County to move the utility poles to the other side of the Road as leaving them where they presently are will affect the trees. Once the poles are moved the Township can then request the curb line be moved. Mr. Mike Fischer, 76 Old Trenton Road, stated he has two (2) stakes on his property and asked Mr. Tanner to send him a copy of the County's plan. Ms. Cindy Glaser, 50 Old Trenton Road and Mr. David Tsui, 52 Old Trenton Road, also requested a copy of the County's plan. Mr. Diamond asked Mr. Van Hise, Township Attorney, if the County taking his land is legal. Mr. Van Hise responded they have to offer a homeowner a process and the right to challenge. Ms. Mary Jean Stevens, Parkview Road, stated her property backs onto Old Trenton road and asked where exactly the project is going to be; specifically, the widening. Mr. Tanner explained Ancil Davison & Old Trenton Road, South Main Street and Old Trenton Road and Farmstead Way and Old Trenton Road. Mr. Tanner offered to post a map in Town Hall so the residents can come in the review the project. Mr. Frank Marlowe, 11 North Main Street, stated it would be a shame to widen Old Trenton Road and make it very unsafe. Mr. Marlowe urged the Township not to allow the widening project to continue and asked the Township to inquire if the County will hold a public hearing so Township residents may attend to voice their concerns. Mr. Dan Mulligan, 32 Old Cranbury Road, requested the Township call Freeholder James Polos or Freeholder Carol Barrett to have them hold a meeting for the residents. Mayor Stout stated he will contact Freeholder Director Christopher Rafano and reported any correspondence the Township had received from the County only made reference to the striping project. Mr. Cook stated the County most likely came in and perhaps thought they were enhancing Old Trenton Road. Ms. Patricia Thomson, 6 Washington Drive, requested the Township fix the intersection at The Four Seasons at Cranbury (Old Trenton Road and Old Cranbury Road) as it is very dangerous. Mr. Arthur Hasselbach, Route 130, reported years ago the County did widen Old Trenton Road when Shadow Oaks was built and at that time planned to continue the widening at a later date. Mayor Stout closed the public comment on this issue.

c). Discussion of Cranbury Township's Possible Participation in the Preservation of the "Kurek Farm"

The Township Committee members discussed the Township's participation in the preservation of the Kurek farm with the Middlesex County Agriculture Board. Mayor Stout stated he is in favor of participating, Mr. Cook asked if Ms. Smeltzer can find out from the County what the timetable is (deadline for the Township to decide), Mr. Stannard stated the cost of sending a student to high school if a development were built there should the Township not decide to participate may want to be part of the equation. Mr. Taylor stated he is more concerned that at the present time it does not know the status of COAH and asked if the County had assisted years ago with the purchase of the Stults parcel. Mr. Taylor also asked what the commitment date is for the Township and asked Ms. Smeltzer to inquire.

Reports from Township Boards and Commissions

Ms. Kirstie Venanzi, President, Cranbury Library Board of Trustees gave a summary to the Township Committee on how the Governor's recent cuts to State Aid will impact the Library. Ms. Venanzi also reported the Library is now able to receive tax-free contributions. Ms. Patty

TOWNSHIP COMMITTEE MEETING
April 12, 2010

Reports from Township Boards and Commissions (Continued)
Library Board Report (cont'd)

Thomsson, Treasurer, Board of Trustees, reviewed with the Township Committee additional expenses the Library now has. Ms. Thomsson reported the Library now has to pay the School rent, make pension contributions for its employees (3-full time and 6 part-time). Ms. Thomsson indicated the starting salary for a Library Assistant is \$12/hour which is below the standard and the Library is trying to bring staff up to par with other Libraries' staff. Ms. Venanzi reported the Library will be contributing \$1,000 for the Township's Senior Center and are planning to co-sponsor senior programs. They are also working with the Municipal Alliance as well as the Recreation Department and sponsoring the 4th of July Band Concert. Mr. Andre Mento, Library Board of Trustees Member, stated there has been an increased use of the Library during these tough economic times. Ms. Venanzi reported if the Governor's Budget gets adopted, the Library will have a data base loss of 90% or \$46,980.00, as well as a loss in Summer Reading Programs, materials and many other items. Ms. Venanzi reported the Library had passed a resolution urging the Governor not to make the cuts to public libraries and asking elected officials for their assistance.

Public Comment

The Mayor opened the meeting to public questions and comment. Mr. Robert Dillon, Hightstown-Cranbury Road, stated years ago the purchase of the Stults parcel for preservation actually helped the Township. Mr. Dillon stated in his opinion the Kurek farm, if sold to a developer, most likely will not be priced too high due to the power lines in close proximity and urged the Township to purchase the land. Mr. Dillon reported in 1988 the Township passed a major traffic plan as part of its Master Plan. Viridian is applying to the Township (and going before the Development Review Committee on May 7, 2010) to put up two (2) one-million square foot warehouses. The Liberty Way Bridge project was to alleviate some of the traffic from South River Road and direct it over the Bridge. Mr. Dillon raised his concern with the traffic plan. Mayor Stout stated the burden should be on the applicant to present a plan with both scenarios (with the Bridge and without the Bridge) and urged Mr. Dillon to attend the Master Plan subcommittee meeting tomorrow evening.

Mr. Mark Berkowsky, Cranbury Housing Associates, spoke concerning the design for the Route 130-D affordable housing site. Mr. Berkowsky presented a timetable for the design and development that delineated the steps required to comply with COAH's Substantive Certification approval. Based on that, Mr. Berkowsky requested approval to move forward with the design required for Planning Board approval. He said that the next immediate step will be informal concept review by the Planning Board. The costs will be covered for the next several months by grant monies received by the County. Mr. Cook reported this phase is part of the Township being "compliant" under COAH regulations. The Township Committee unanimously agreed and granted permission to Mr. Berkowsky to move forward.

Ms. Connie Bauder, Petty Road, stated if the Township takes over the Dam (by swapping with the County for the Liberty Way Bridge project) and then the requirements change, it would appear the Township would be leaving itself open for added responsibility; i.e. 100% vs. 50%. Ms. Bauder also referenced a report Mr. Harvey Moskowitz, Township Planner in 2001, had prepared prioritizing the Township's open space acquisition and in his report stressed how important farmland preservation and preservation of the historic village area in the Township are. There being no further comments, the Mayor closed the public part of the meeting.

On motion by Mr. Cook, seconded by Mr. Taylor and unanimously carried, the meeting went into Closed Session:

Ayes: (Cook	Abstain: (None
(Stannard	Absent: (Cody
(Taylor	
(Stout	

TOWNSHIP COMMITTEE MEETING
April 12, 2010

Nays: (None

On motion by Mr. Stannard, seconded by Mr. Taylor and unanimously carried, the meeting returned to Open Session:

Ayes: (Cook
(Stannard
(Taylor
(Stout

Abstain: (None
Absent: (Cody

Nays: (None

Mayor Stout appointed Mr. Ed Sekelsky as a regular member of the Board of Recreation for the vacancy created by the resignation of Rose Siconolfi with a term expiring on 12/31/11 and Ms. Wendy Borg as 1st Alternate (replacing Mr. Sekelsky) with a term expiring 12/31/13.

On motion by Mr. Stannard, seconded by Mr. Taylor and unanimously carried, the meeting adjourned at 11:17 p.m.

Kathleen R. Cunningham, Clerk