

TOWNSHIP COMMITTEE MEETING
July 26, 2010

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 Winthrop Cody, James Taylor and Mayor David Stout. Mr. Stannard arrived at 6:30 p.m. Mr. David Cook was absent. Also present were: Christine Smeltzer, Administrator; Kathleen Cunningham, Clerk and Jean Golisano, Deputy Clerk. Mayor Stout led in the salute to the flag, and Ms. Golisano 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.
- (5) In addition, the meeting time change was communicated to the Cranbury Press, Home News Tribune and Trenton Times on July 19, 2010, posted on the Bulletin Board and sent to those individuals who have requested personal notice.

Resolution

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

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

Nays: (None

Cranbury Township Resolution # R 07-10-128

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

RESOLUTION TO CLOSE MEETING TO THE PUBLIC

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

The general nature of the subject to be discussed in this session is as follows:

---"N.J.S.A. 10:4-12b (7) and (8): Discussion of candidates for Interim Township Attorney position;

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(Continued)

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

Date: July 26, 2010

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

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

Nays: (None

Regular Township Committee Minutes of June 14, 2010

On motion by Mr. Cody, seconded by Mr. Taylor and unanimously carried (with Mr. Stannard abstaining and Mr. Cook being absent), the Regular Township Committee Minutes of June 14, 2010 were adopted.

Regular Township Committee Minutes of June 28, 2010

On motion by Mr. Cody, seconded by Mr. Stannard and unanimously carried (with Mr. Taylor abstaining and Mr. Cook being absent), the Regular Township Committee Minutes of June 28, 2010 were adopted.

Reports and Communications

--Mayor

Mayor Stout reported that since he and Mr. Stannard were not present at the July 15th Planning Board Meeting concerning the Route 130-D site, there were many e-mails once again over concern that the Ryan Road may be open from the affordable housing site. Mayor Stout confirmed that it was not his intention that the road would be opened up other than for emergency services. Mr. Cody agreed. Mayor Stout explained that the Planning Board does site plan approval and part of the development of the site plan approval process is circulation. Mayor Stout confirmed that the Township owns the Route 130-D land and thought it was made clear that there would not be a road through to Ryan Road. Mayor Stout also offered that he and Mr. Stannard would make every effort to attend the next Planning Board Meeting to further clarify this issue.

Mr. Taylor reported for Buildings and Grounds that the police walkway is now completed and only the front step is being monitored for potential repairs. Mr. Taylor also reported that work has begun on replacing the old Bilco door at the Fire House. The door is in desperate need of repair since it is now being covered by plywood. The Bilco doors are being replaced with steel Bilco doors. Mr. Taylor reported that there is about \$1,000 in penalty fines for false alarms due to contractors. Once the fines received reach \$2,000, the Committee will look at purchasing replacement gutters for the Fire House. For the Construction Department, Mr. Taylor reported that there were 15 building permits, 14 electrical permits, 12 plumbing and six (6) fire permits. Funds collected are \$14,292, which is still low because there is not any large commercial development occurring. Inspections for the month include 89 building, 29 electrical, 15

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Reports and Communications

--Mr. Taylor (con't.)

plumbing and 11 fire inspections. For certificates of approval, there were 23 residential and 17 non-residential. For the Fire Company and First Aid Squad, Mr. Taylor reported that at the recommendation of the new Chief, the Police, Fire and First Aid Squad meet on Sundays so all emergency responders will be meeting together. The Personnel sub-committee met with the Public Works Department and modified the standard operating procedures for how the Public Works employees respond to emergency calls. Currently the employees have over a 90% response ratio, but some clarity was needed and the Standard Operating Procedure was modified. For the Fire Company, there were 27 calls in June, with 15 calls in the evening, two (2) mutual aid calls (to East Windsor and Hightstown). There was one (1) Turnpike call, which we now automatically respond to. The Fire Company receives \$90 for each Turnpike call, which is not a large sum, but it does offset some costs. Mr. Taylor reported that a request for \$120,000 was submitted to FEMA for a grant to cover the cost of the new brush truck. The old brush truck is from the 1950's and is in need of replacement. A call was made to Rush Holt's office, and the Township will receive a letter of support from him for the FEMA Grant, which would cover the cost of the truck. The First Aid Squad had 45 total calls, one (1) mutual aid call, five (5) calls for The Elms and seven (7) calls for the Turnpike. Compensation is received as well for First Aid responses to Turnpike calls. Mr. Taylor stated he will confirm \$90 is the amount received for calls. The Parks Commission met on July 15th and short-and-long-term park goals were discussed. The list contains a number of items in need of repair, such as the Gazebo, and long term items the Commission would like to see added to the parks. One recommendation was that the dying weeping cherry trees at Memorial Park should be cut down and replaced with one Weeping Cherry. Concerning the easements in Shadow Oaks, at the Township Committee Meeting in June, easements were discussed and a committee is being formed to review the easements in Town and to consider what if any markings would be appropriate. The Committee would consist of approximately six (6) members, including members of the Parks and Environmental Commissions and residents from various parts of town. Mr. Taylor reported that the Civil War Society has approached the Parks Commission to donate a monument to the 14th Regiment. (Details are outlined in Mr. Tom Weidner's June 25th memo to the Township Committee.) The Parks Commission is looking for Township approval for the concept plan, which once received, will allow them to go back to the Civil War Society for final plans. Mr. Taylor reviewed ordinances and spoke with the Construction Official and sees no hindrances to erecting the monument. The Civil War Society has asked the Township to install an appropriate walkway to the monument. Mr. Stout commented that it could be a Boy Scout project. Mr. Taylor has a copy of the concept plan if anyone wants to review it. Mayor Stout stated he hopes the Historical Society is going to be involved. Mayor Stout asked for a motion Mr. Taylor made a motion to approve the Civil War concept plan as outlined in the June 25th memo from the Parks Commission to the Township Committee. Mr. Stannard seconded the motion, and the motion was carried:

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

--Mr. Cody reported on two Zoning issues: The Verde Group had come back to the Zoning Board with less density of retail and the Buy Rite application, the combination hotel/conference/wine shop, is still in discussions with the Zoning Board.

--Mayor Stout reported there is a need for better tracking of Zoning Board and Planning Board approvals. The Committee will work with the Planning and Zoning Boards to develop a matrix to better understand the conditions, status, timing, and follow-up of approvals. A matrix would more easily capture the status, rather than researching through resolutions and developer's agreements to track approvals.

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Agenda Additions/Changes

Ms. Golisano, Deputy Clerk, announced that Work Session Item "B" – "Discussion of COAH Implementation Schedule" is being removed from the agenda because certain items cannot be discussed in public.

Ordinance

First Reading

Cranbury Township Ordinance # 07-10-11

An Ordinance entitled, "Cranbury Township Ordinance #07-10-11, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY IN MIDDLESEX COUNTY, NEW JERSEY, ACCEPTING THE CONVEYANCE OF A SANITARY SEWER EASEMENT BY CEDAR BOOK II CORPORATE CENTER, L.P., ON PROPERTY IT OWNS LOCATED AT THE CORNER OF DEY ROAD AND ROUTE 130 AND DESIGNATED ON THE CRANBURY TOWNSHIP TAX MAPS AS BLOCK 1.01, LOT 1", was introduced for first reading. On motion by Mr. Cody, seconded by Mr. Stannard, the Ordinance was passed on first reading by vote:

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

Public Hearing: August 23, 2010

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

1. The Township Committee hereby accepts the conveyance of a sanitary sewer easement located on property designated as Block 1.01, Lot 1 on the Cranbury Township Tax Maps, as more particularly described and set forth on a map entitled "Preliminary/Final Major Site Plan, Block 1.101, Lot 1, Site Plan, Township of Cranbury Tax Map Sheet No. 1, County of Middlesex, New Jersey," prepared by Joseph B. Pryor, PE, Kupper Associates, dated February 2002, which map is on file in the office of the Township Clerk, and in a deed dated January 5, 2010, from Cedar Brook II Corporate Center, L.P., as Grantor to the Township of Cranbury as Grantee, a copy of which is on file in the office of the Township Clerk.
2. This Ordinance shall take effect upon passage and publication as required by law.

Resolutions

Consent Agenda

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

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

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Cranbury Township Resolution # R 07-10-129

NOW, THEREFORE, BE IT RESOLVED, by the Township of Cranbury that all bills and claims, with the exception of Hatch Mott McDonald which needs supporting documentation, be audited and found to be correct be paid.

Cranbury Township Resolution # R 07-10-130

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT
WITH THE TOWNSHIP OF SOUTH BRUNSWICK FOR
MOBILE DATA COMPUTER SYSTEM (MDC) SERVICES

WHEREAS, the Township of South Brunswick has requested to renew its agreement with the Township of Cranbury for Mobile Data Computer (MDC) system services; and

WHEREAS, the parties have agreed to the terms and conditions of an agreement and represent that their governing bodies have adopted the appropriate resolutions pursuant to N.J.S.A. 40:8A-1, et seq, to authorize execution of this agreement; and

WHEREAS, on the 22nd day of June, 2010, the Township Council of the Township of South Brunswick, County of Middlesex, State of New Jersey, adopted Resolution-2010-293 authorizing the execution of an agreement between the Township of South Brunswick and the Township of Cranbury for Mobile Data Computer System (MDC) service;

NOW THEREFORE BE IT RESOLVED, the Township Committee of the Township of Cranbury hereby authorizes an agreement with the Township of South Brunswick for Mobile Data Computer (MDC) system services.

Cranbury Township Resolution # R 07-10-131

A RESOLUTION APPROVING A CHANGE ORDER TO THE TOWNSHIP'S PROFESSIONAL
SERVICES AGREEMENT WITH
VAN CLEEF ENGINEERING ASSOCIATES, LLC

WHEREAS, a professional services agreement was awarded to Van Cleef Engineering Associates, LLC for a not to exceed amount of \$81,500 on April 12, 2010; and

WHEREAS, the Township Committee has recommended a change order for a survey of the Reinhardt property, which would increase the agreement by \$7,500; and

WHEREAS, the Director of Finance has certified said funds are available;

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

1. Change Order for the survey is hereby approved.
2. This Resolution, when counter-signed by Van Cleef Engineering Associates, LLC shall serve as an amendment to the original Professional Services Agreement for the purpose of increasing the Professional Services Agreement by \$7,500 and confirming that the new amount, including all change orders will not exceed \$89,000.

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Cranbury Township Resolution # R 07-10-132

A RESOLUTION APPROVING A CHANGE ORDER TO THE TOWNSHIP'S PROFESSIONAL
SERVICES AGREEMENT WITH RONALD A. GHRIST

WHEREAS, a professional services agreement was awarded to Ronald A. Ghrist for a not to exceed amount of \$15,000 on February 22, 2010; and

WHEREAS, the Township Committee has recommended a change order for payroll services, which would increase the agreement by \$6,200; and

WHEREAS, the Director of Finance has certified said funds are available;

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

1. Change Order for the payroll services is hereby approved.
2. This Resolution, when counter-signed by Ronald A. Ghrist shall serve as an amendment to the original Professional Services Agreement for the purpose of increasing the Professional Services Agreement by \$6,200 and confirming that the new amount, including all change orders will not exceed \$21,200.

Resolution

Cranbury Township Resolution # R 07-10-133

Mayor Stout briefly explained that the purpose of Cranbury Township Resolution # R 07-10-133 is for the Township Committee to give the authorization to have on the General Election ballot on November 2, 2010, a referendum for residents to consider the Township contracting residential garbage collection. The collection would be paid through a flat quarterly fee and would not be a function of the assessed value of homes. This service would exclude commercial pickup. The referendum is not binding, but rather is a mechanism to gauge taxpayers' sentiments. Mayor Stout reported: 1) the fee would be the same for all residents regardless of how much trash is placed by the curb; 2) commercial properties and Four Seasons would have their own trash removal service; 3) residents will have quarterly pickup of bulk items, eliminating the twice yearly bulk cleanup at the Public Works Yard at a cost of approximately \$10,000 per cleanup; 4) residents have the option to have twice weekly pickups during the summer months; 5) an extra can may be purchased and put curbside if residents need it; 6) the Township will need to do billing; 7) there will be less trash haulers in Cranbury and less trash cans on the street every day; and finally 8) trucks will be run on propane gas.

Mr. Cody stated a lot of research was done and agreed the referendum should go on the ballot, and added the Township needs to get out as much information as possible to the residents. Mayor Stout agreed that information would enable the residents to make educated decisions and reiterated that the referendum is non-binding. Receiving no additional comments from Township Committee, Mayor Stout opened the floor to the public. Mr. Brian Deverin of Cranbury Neck Road, stated he came to the last Committee Meeting to voice his concerns about revising the ordinance for curbside brush, and requested the Committee not consider contracting for trash removal. Mr. Deverin stated that if the Township could not get residents to comply with the timing rules for brush, the same would follow true with having trash all over town. In addition, Mr. Deverin stated that during the summer and also winter, many residents are away and cancel their trash collection for those months. He asked the Committee to consider what the Town may look like with garbage around. Mayor Stout agreed with Mr. Deverin and stated the situation would

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(Continued)

require a lot of policing. Mr. Stannard inquired if the trash collection is tax deductible. Mr. Cody responded that the trash billing would be separate, and it is not tax deductible. Mr. Taylor stated that the question on the ballot is to determine if the public is interested in the Township contracting for trash, and if interested, pursue additional information. Mayor Stout stated he agreed with asking the question, however, there are many items to be considered. The idea of doing a referendum was to reach more residents versus only the residents who attend the Township Committee Meetings. Mr. Richard Kallan, Wynnewood Drive, stated during DPW Cleanup weekends, there is staff on site evaluating what trash is accepted; when trash is left on the street, a contracted hauler may not pick up all trash and some may be left behind. Mayor Stout commented that this is only a "yes" or "no" question. If decided to pursue, more detailed questions will be posed. Mr. Kallan questioned why the fee was no longer based on the assessed value, and Mayor Stout replied that more research was done to get a benchmark. Mr. Deverin stated that if put on the ballot, residents would vote "yes" and think they were getting something for free. Mr. Dave Mauger, Griggs Road, stated the questions were hypothetical at this point and commended the Township Committee for investigating creative ways to save money. He was in favor of having the referendum looked into. Mr. Dan Mulligan, Old Cranbury Road, stated he felt the trash collection issue had not sufficiently been on previous work sessions; the referendum is acceptable, however it would have been better if discussed more in the past. Mr. Mulligan inquired about the timing of discussions if the referendum is passed. Mayor Stout replied it will take time and Mr. Taylor agreed there is no rush to go to contract. Mayor Stout reported the issue of the referendum must be decided this evening in order to be on the ballot in November. Mayor Stout stated he has no problem investigating if the residents want the trash collected. Mr. Cody concurred, stating just because the residents vote "yes" doesn't mean the Township would have to go to contract unless it is beneficial to the Township. Mr. Berkowsky, North Main Street, inquired if there is a cost to do the study, and Mayor Stout replied there is no cost to put the question on the ballot. Mr. Kallan inquired if the investigation resulted in a good deal, would the Township Committee or residents make the final decision. The Township Committee unanimously agreed to put a second referendum on the ballot for next year for residents to approve should the referendum pass this year.

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

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

Cranbury Township Resolution # R 07-10-133

COUNTY OF MIDDLESEX
STATE OF NEW JERSEY

A RESOLUTION AUTHORIZING THE SUBMISSION TO THE VOTERS OF THE TOWNSHIP OF
CRANBURY AT THE GENERAL ELECTION ON NOVEMBER 2, 2010 A PROPOSITION
AUTHORIZING THE TOWNSHIP TO INVESTIGATE CONTRACTING WITH A GARBAGE
COLLECTION COMPANY FOR RESIDENTIAL GARBAGE COLLECTION TO BE PAID
THROUGH A FLAT QUARTERLY FEE

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Cranbury Township Resolution # R 07-10-133
(Continued)

WHEREAS, NJSA 19:37-1 provides that the governing body can submit a proposition to appear on the ballot for the General Election up to seventy-four (74) days prior to the general election, which in the year 2010 is August 20; and

WHEREAS, the Township Committee has met with several garbage collection companies and would like to include garbage collection to its residents as a line item in the 2011 budget; and

WHEREAS, the Township Committee wishes to provide all of the voters with the opportunity to vote on the question of whether to investigate providing residential garbage collection through a fixed quarterly fee; and

WHEREAS, upon completion of that investigation, and at the discretion of the Township Committee that it is indeed beneficial for the Township to provide residential garbage collection, a subsequent referendum will provide all of the voters with the opportunity to vote on the decision of whether or not to contract for residential garbage collection;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey, that it does hereby request the County Clerk to place the following non-binding referendum question on the ballot for the November 2, 2010 General Election:

“SHALL THE TOWNSHIP INVESTIGATE CONTRACTING WITH A GARBAGE COLLECTION COMPANY TO PROVIDE RESIDENTIAL GARBAGE COLLECTION AND CHARGE THE RESIDENTS A FLAT QUARTERLY FEE?”

☐ YES

☐ NO

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized and directed to furnish a certified true copy of this resolution to the Middlesex County Clerk's Office and the Superintendent of Elections by the applicable deadline so that the above referenced referendum question may be placed on the general election ballot for November 2, 2010.

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

Ayes: (Cody
(Stannard
(Taylor
(Stout

Abstain: (None
Absent: (Cook

Nays: (None

Reports from Township Staff and Professionals

Before Township Administrator Christine Smeltzer's report, Mayor Stout announced that our Township Attorney resigned and a discussion was held concerning the hiring of an Interim Township Attorney and the Committee's decision to appoint Mr. Steven Goodell, Esq. through December 31, 2010. Motion was made by Mr. Stannard, seconded by Mr. Cody, to appoint Steven P. Goodell, Esq., as the Township's Interim Attorney until 12/31/2010.

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Reports from Township Staff and Professionals (con't)

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

Nays: (None

Mayor Stout reported due to Mr. Cody's diligence, Mr. Goodell has agreed to assume the position at the same rate as our prior attorney. Mr. Cody stated the Zoning Board will need to be notified as a new attorney will need to be appointed as Zoning Board Attorney.

Administrator's Report

Township Administrator Christine Smeltzer presented a status report on K Hovnanian's work at Four Seasons. Ms. Cunningham, Township Clerk, stated Mr. Taylor had to recuse himself as K Hovnanian is a client of his firm.

Mr. Taylor left the dais.

Ms. Smeltzer reported Mr. Tanner, the Township's Engineer is very happy with the way the trees were planted and that they are being regularly watered. Mr. Wahlers is keeping the Township informed. The road problem concerning the sink hole is being addressed. Mayor Stout asked Mr. Wahlers if that is the case. Mr. Wahlers informed the Committee workers were digging again last week and the trees were indeed planted according to directions. Ms. Smeltzer will check on the status of the sink hole.

Mr. Taylor returned to the dais.

Work Session

a). Discussion on Property Tax Reform

The Township Committee discussed a sample resolution addressing Governor Christie's Property Tax Reform Cap, the Municipal Toolkit and other mandates relief. Mayor Stout reported on the possible diversion of the monies from the Turnpike trees. He stated if what was published is true, the Township has not yet received a letter from the State stating otherwise, trees earmarked for Cranbury would not be received because funding would be diverted to keep State parks open. Mr. Cody raised his concern about COAH and how the Toolkit would help Cranbury. Mr. Brian Schilling, Holmes Road, stated he would like information that is consistent and accurate. Mr. Schilling stated that a small town like Cranbury could be impacted and then it would be too late to remedy. Mr. Cody reported that the COAH Reform Bill was passed by the Senate and is now stalled at the House. Mr. Schilling stated he understood the legislation status, however he would like specific information so as not to misspeak when talking about the issue. Mr. Cody explained what Cranbury is obligated to do right now is to build the Route 130-D site. Mr. Schilling stated based on his assessment of other towns, Cranbury is very well managed financially, but the implications to the Town because of COAH could be severe due to decisions being made in Trenton. Mr. Schilling stated that a well-managed, well-budgeted town could be faced with severe economic repercussions and stated that accurate information was needed to show what the Township is facing. Mr. Taylor asked if a talking point memo could be created, which residents could use to write letters to send to their Legislators. Mr. Cody offered to prepare a talking points memo. Mayor Stout stated everyone agrees with the direction, and now it is important to get it done. Mr. Cody suggested adding our specific legislators, Assemblywoman Linda Greenstein and Assemblyman Wayne DeAngelo to the list of those receiving the resolution. On motion offered by Mr. Taylor calling on the State Legislature and the Governor to enact property tax return with passage of the "Municipal Toolkit" and mandates relief reform, seconded by Mr. Stannard, and adopted;

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Work Session

Discussion on Property Tax Reform (con't)

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

Cranbury Township Resolution # R 07-10-134

**RESOLUTION CALLING ON THE STATE LEGISLATURE AND THE GOVERNOR TO
ENACT PROPERTY TAX REFORM WITH PASSAGE OF THE “MUNICIPAL TOOLKIT”
AND MANDATES RELIEF**

WHEREAS, difficult times demand difficult choices, and facing an unprecedented revenue gap this year, Governor Christie introduced, and the Legislature passed, a budget that cut municipal property tax relief funding by about \$450 million, from last year's already reduced totals; and

WHEREAS, realizing that a 20% cut in revenue replacement funding, instead of the statutorily required increase, would present a serious challenge to local budget makers, Governor Christie intended to provide local officials with meaningful tools to limit the otherwise devastating impact of the cuts; and

WHEREAS, the Governor's "ToolKit to Meet Today's Fiscal Challenges" was supposed to accomplish six objectives: collective bargaining reform; pension and benefits reform; civil service reform; management reform; a constitutional cap on increases in spending for direct State government services; and a constitutional cap on property tax increases; and

WHEREAS, Governor Christopher Christie and the State Legislature have agreed on and enacted a 2% statutory cap for annual property tax levy increases; and

WHEREAS, the Governor was correct when he said, 'New caps without the toolkit are unworkable; and

WHEREAS, with the cuts assured in the State's new budget and with bi-partisan agreement reached on new property tax caps, New Jersey Mayors - from municipalities, large and small, and from all around our Garden State – still wait for Trenton policy makers to enact meaningful local government cost containment reforms; now therefore be it

RESOLVED, by the Township Committee of the Township of Cranbury that the Township of Cranbury calls for immediate passage of the "Toolkit" reforms and mandates relief, including, but not limited to interest arbitration reform, civil service reforms, public employee pension and benefits, disciplinary procedures, school and special district elections, reforms to the Fair Housing Act and the Council on Affordable Housing and mandates relief; and

BE IT FURTHER RESOLVED, that statutory arbitration reforms must limit the full economic impact of awards to conform to the 2% cap; and

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BE IT FURTHER RESOLVED, that statutory Health benefit reforms must conform future health benefit costs to the 2% cap; and

BE IT FURTHER RESOLVED, that municipal revenues, such as the Energy Tax, which are now collected by, and diverted to, the State, but which are legally intended for municipal property tax relief, must be constitutionally dedicated for their original purpose; or in the alternative, those taxes should be reformed to allow collection directly by municipalities; and

BE IT FURTHER RESOLVED, that the Administration and Legislature must advance immediate mandates relief initiatives to assist municipalities in managing within the 2% cap; and

BE IT FURTHER RESOLVED, that the Administration and Legislature must advance reforms to the Fair Housing Act and the Council on Affordable Housing (COAH); and

BE IT FURTHER RESOLVED, that a cap exception for the costs associated with tax appeals should be included, and costs mandated by the Administrative Office of the Courts (AOC) should be excepted from the 2% cap or the costs of new AOC mandates should be capped at 2%; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

b). Discussion of Possible Revision to the Township's Chipping Ordinance

The Township Committee discussed the possible revision of the chipping ordinance. Mayor Stout announced the Township Committee has received a memo from Linda Scott, DPW Administrative Assistant and Recycling Coordinator, who did a large amount of research pertaining to the leaf and brush issue. The Township's Code addresses leaf and brush pickup, but does not address time constraints on when brush can be placed curbside. The first item requested by Public Works is that the revised ordinance state brush be placed curbside, no sooner than the weekend before the third Wednesday of the month, when chipping is scheduled to commence. Mayor Stout reported two concerns: 1) debris is placed curbside ahead of time, and 2) contractors are putting out brush to be handled by the Township instead of carting it away. Mayor Stout pointed out that an amendment or clarification in the current Code is needed. Mr. Stannard stated as long as it is acceptable brush, whether cut by a resident or contractor and it comes from the resident's property, it does not matter who cuts it. Mr. Cody stated that as long as it comes from the resident's property, it does not matter who cut the brush. Mayor Stout asked Linda Scott to assist with clarification, and asked if he addressed the two concerns correctly. Ms. Scott agreed and stated that many calls she receives from residents concern the brush being put curbside ahead of time. Ms. Scott stated that there are several issues concerning time constraints for brush at the curb. In the present Code, leaves can be put curbside up to seven (7) days prior to the leaf collection schedule, however, residents do not adhere to the Code as there are leaves continuously being put out by the curb. Ms. Scott advised the Committee that Cranbury Township is the only Township that provides continuous leaf pickup. Out of the six (6) municipalities that Ms. Scott researched, four (4) municipalities require leaves be bagged

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Discussion of Possible Revision to the Township's Chipping Ordinance (con't)

in biodegradable bags. Plainsboro and South Brunswick have leaf vacuum machines but provide very limited pickup, unlike Cranbury. Mayor Stout recommended two Code amendments: 1) the timing of putting brush out at the curb, and 2) the content of materials (construction debris, boards, fences, wood, stumps) being mixed in with the brush, which can be hazardous to personnel and also the machinery. Mayor Stout stated he believed it was not the original intent of the ordinance to collect excessive debris left by contractors. Mayor Stout asked for questions/comments:

Mr. Brian Deverin of Cranbury Neck Road stated the leaves were not a problem because leaf collection was for limited times each year, but rather the curbside brush is year round. Mr. Deverin stated he would like to see a time constraint, and if ignored/abused, that a fine be assessed. Mayor Stout asked Ms. Scott what process was currently in place to handle the violations. Ms. Scott stated the mechanism in place has never been enforced in the ten (10) years since she has been with the Township. The Code stipulates three (3) letters be sent out and the last letter have a violation attached to it. Ms. Scott preferred not "slapping hands;" she would rather educate residents and give warnings to the resident the he or she is in violation and indicate the consequences involved. Ms. Scott stated with the Township Committee's permission she would like to get the process started. Mr. Deverin stated Ms. Scott's offer was commendable, however a lot of work would be placed on the DPW Office, and suggested that a fine be instituted to deter people from putting out brush too early. Ms. Scott stated she would prefer educating the residents.

Mr. Richard Kallan, Wynnewood Drive, inquired if the Code addresses how the brush should be placed by the curb. He stated residents just dump brush without placing it going in one direction and recommended having the ordinance describe how the brush should be placed. Mr. Kallan inquired if there would be special pickups during wind storms. Ms. Scott stated in the event of wind storms, the DPW would conduct special pickups to take care of brush. Mr. Kallan commented on leaf collection and Ms. Scott explained that during leaf collection periods, the removal is continuous with each loop of the Township taking approximately 2 to 2-1/2 weeks. Mr. Stannard stated that leaf collection is for a limited amount of time. Mayor Stout reported that the fines listed in the Township Code are very steep, and the Code states the enforcing entity is the Middlesex Improvement Authority. Ms. Scott stated there is another enforcing entity mentioned in the Code and she thought that would mean the Zoning Officer would administer the fine. Mayor Stout stated the enforcement could be done by the Township, however not collecting the fines. Mr. Kallan inquired if any notices were ever given to residents by Public Works. Ms. Scott responded not to her knowledge. Mayor Stout stated amendments should be made to the Code to clarify certain items, and the Township should go through the process of placing stickers on violators. Mayor Stout further stated Public Works wants to do what is right for the residents; however residents need to be more educated/informed to do what is right. Mayor Stout asked Ms. Scott to work with Township Administrator Christine Smeltzer to address the needed modifications for the Code, stressing safety issues. Mayor Stout stated placing a sticker on the brush asking the resident to contact the office for information would provide an opportunity for education. Mr. Kallan inquired if the wording would be "brush out too early" or "incorrectly" and Mr. Stout responded it would be both. Mr. Kallan asked if residents would be expected to rearrange the brush, and Mayor Stout agreed that the brush should be rearranged because it is a safety issue for the Public Works personnel. Also, if a sticker was placed on brush, the resident would need to move the brush from the street until the next month's pickup. Mayor Stout thanked Mr. Brian Deverin for bringing up the issue.

Reports from Township Staff and Professionals

Jean Golisano, Deputy Clerk, reported the Township Committee had received a memo from Josette Kratz, Planning and Zoning Administrative Officer concerning the Route 130-D Site (Block 20, Lot 10.01) to be read into the record, which states:

TOWNSHIP COMMITTEE MEETING
July 26, 2010

Reports from Township Staff and Professionals (con't)

"At the July 15, 2010 Planning Board meeting the board took the following actions:

To recommend that the governing Body develop a draft ordinance to accommodate the development of the CHA D-130 Site, Block 20, Lot 10.01, Proposed ML-II Zone to the satisfaction of all the obligations of the Council of Affordable Housing. To recommend to the Governing Body that they commence this process and introduce an ordinance changing the zoning."

Public Comment

The Mayor opened the meeting to public questions and comment:

Linda Scott of North Main Street inquired what ballot the referendum would be on. Mayor Stout responded the referendum would be on the General Election ballot on November 2, 2010, and would be for residents to decide if the Township should pursue.

Mr. Brian Deverin, Cranbury Neck Road, reported a traffic issue exists on Maplewood Avenue due to the proposed changes to PNC Bank. At the last Planning Board meeting, a traffic study was postponed, and Mr. Deverin believes the applicant is having the survey done. He suggested it would be prudent for the Township to do a traffic study as well. If not, it could become an expensive endeavor for the Township and residents for legal representation to fight the issue. Mr. Deverin reported there are a couple of truck signs on Maplewood Avenue, and their meaning is very unclear. Mr. Deverin contacted the Police Department for clarification and stated that coming from Route 130, the first sign is a "No truck sign – no trucks over 4,000 lbs." which directs trucks to Plainsboro Road. When you get to the intense part of Maplewood, the second sign has the same indication of no trucks; however, there is no stipulation of what that means. The main concern of the Maplewood Avenue residents is the new applicant for the PNC property is closing the Main Street access to the property. There will be a home and retail business with 50 employees at the location, and the applicants are currently proposing 46 to 49 parking spots. The driveway on Maplewood Avenue will be the only driveway to the property. Mr. Deverin said the Township Engineer stated the street does not meet the State's requirements as it is antiquated. Mr. Deverin further stated the applicant did a traffic study, but that was on a non-school day, and feels the Township, and Police Department should do a traffic study on behalf its residents.

Mr. Sean Deverin, Maplewood Avenue, also addressed the traffic concerns on Maplewood Avenue. He was in agreement with what was already addressed, more specifically, that the most dangerous cars are not the cars that will be parking in the PNC lot, rather the cars driving from Route 130 down Maplewood Avenue to Scott Avenue, which are going in excess of 25 miles per hour. Mr. Deverin requested the Township Committee consider address the speed issue, whether by speed bumps, speed signs, or an island at the intersection of Park Place and Maplewood to force drivers to slow down. Mr. Deverin and his neighbors have asked for this issue to be addressed, and urged the Township Committee to take action. The road from grass to grass is 26 feet wide and when cars are parked on both ends, the road is very dangerous.

Mr. Jeff Forrest, Maplewood Avenue, agreed with Mr. Sean Deverin and stated in addition children from the school go to Village Park for tennis and golf after school and requested that crosswalk be placed at the pathway opposite the vacant lot so children can safely cross Maplewood Avenue. He stated placing crosswalks and lowering the speed may slow the traffic down on Maplewood. Mayor Stout stated the Township can definitely look into the crosswalk, but would need to investigate the statutes concerning lowering the speed limit to

TOWNSHIP COMMITTEE MEETING
July 26, 2010

Public Comment (con't)

15 m.p.h. Mr. Cody stated the Township is conducting a traffic study during the Master Plan review process. Mr. Forrest asked for clarification on the traffic study and if a circulation flow was being conducted. Mayor Stout replied that a study would probably be conducted in the fall.

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

On a motion by Mr. Stannard, and seconded by Mr. Taylor, and unanimously carried (with Mr. Cook being absent), the meeting adjourned at 8:50 p.m.

Jean Golisano, Deputy Clerk