

TOWNSHIP COMMITTEE MEETING
September 13, 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, David Cook, Richard Stannard, James Taylor and Mayor David Stout. Also present were: Denise Marabello, Assistant Administrator/Director of Finance 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.

Mayor Stout asked for a moment of silence in memory of those lost on September 11, 2001.

Regular Township Committee Minutes of August 23, 2010

On motion by Mr. Stannard, seconded by Mr. Taylor and unanimously carried (with Mr. Cody abstaining), the Regular Township Committee Minutes of August 23, 2010 were adopted.

Closed Session Township Committee Minutes of August 23, 2010

On motion by Mr. Stannard, seconded by Mr. Taylor and unanimously carried (with Mr. Cody abstaining), the Closed Session Minutes of August 23, 2010 were adopted.

Special Township Committee Minutes of September 7, 2010

On motion by Mr. Stannard, seconded by Mr. Cody and unanimously carried, the Special Township Committee Minutes of September 7, 2010 were adopted.

Reports and Communications

--Mayor

Mayor Stout thanked everyone who was involved in the preparation and activities on Cranbury Day. In particular, Mayor Stout thanked the C.E.R.T. members, Department of Public Works, the Business Association for organizing the event, the Helene Cody Foundation and the vendors as well as the Cranbury Police Department who did an excellent job. Mayor Stout added it was very well attended and suggested a survey be placed on the Township's web site asking for any comments or new ideas for Cranbury Day for next year to get an idea of something they would like to see or no longer want. Mr. Taylor reported a number of people conveyed to him they were in favor of having the food on Main Street this year.

--Members of Committee

Mr. Cody reported the Zoning Board had approved the Verde Group's application at its last meeting which is on South River Road. He stated the property will have some commercial tenants and a small amount of retail tenants.

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--Members of Committee (Continued)
Mr. Cody (cont'd)

Mr. Cody reported the Master Plan subcommittee has been meeting and the final report should be completed a little later than originally anticipated, end of October or beginning of November.

Mr. Cody reported the ball field bleachers, dugout and benches are installed and the irrigation work is due to be started shortly. Mr. Cody stated hopefully there will be enough funds to not only irrigate the ball field, but also the soccer fields. Mr. Cody thanked everyone for working on the ball field.

Mr. Cody thanked the volunteers, the Township and those who participated on Cranbury Day in the Helene Cody 5K Race and reported the turnout was very successful.

Mr. Taylor reported a number of residents had approached him on Cranbury Day to request the Township speak with the Board of Education concerning the change in the bus stop on Old Trenton Road. In addition, a resident had sent an email today asking the Township to please have a conversation with the Board of Education concerning same. The issue is instead of going into Parkview and Hardley the bus now makes the stop on Old Trenton Road and parents are concerned for their children's safety. Mr. Cody offered to follow-up with the Board of Education to find out why this change was implemented.

Mr. Taylor also reported he had "gotten yelled at" by a few residents at the Township booth on Cranbury Day about the speed limit being lowered to 35 M.P.H. on Old Trenton Road.

Mr. Taylor reported Buildings and Grounds –Public Works dug out the new entrance at Millstone Park and filled the new drive with stone. The cost of the stone was covered by a grant. The Public Works vehicles –1999 "510 truck" had to have a power steering pump replaced at a cost of \$531.00 and repair the ignition drive module replaced at a cost of \$643.00. The 2003 Dump Truck needed to repair the air brake line which corroded and the transmission bulk head fitting at a cost of \$790.00.

Mr. Taylor reported the Construction Department had 19 building permits issued for a cost of \$14,765.00 compared to last month's total of \$19,290.00.

The First Aid Squad had 54 total calls of which 39 were during the day (eight to the New Jersey Turnpike).

The Fire Company reported they responded to 19 calls. Ten (10) were during the day and nine (9) during the evening and two (2) were to the New Jersey Turnpike. One contractor had been issued an alarm violation. The Fire Company also reported they now have 14 Junior Cadets and have done their "Career Awareness Day" at the High School. There are a number of individuals who have not turned of age yet but will do so shortly and are interested in joining when they do.

Mr. Cook reported the Library recently was investigating the idea of creating a foundation and has since done so. The Library would like to know the Township's ideas on this issue. The Library had conducted a survey and the results of the survey will be available this Thursday, September 16, 2010.

Mr. Cook reported the "Griggs Tract II Project" (repaving the development) figures may now be higher than the original figures given two (2) years ago. The Township will put the Project out to bid and hope that it comes out cheaper.

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--Members of Committee (Continued)
Mr. Cook (cont'd)

Mr. Cook reported the surveyors hired by Middlesex County have arrived at Brainerd Lake Dam earlier than the Township had anticipated. Going forward, the residents will be informed of what is going on and especially with the resident's particular property.

Mr. Cook also reported the Township is still looking into the possibility of bringing in to the Township a "garbage contract with the Township for its residents and there has been a task force created. On the task force are three (3) residents from the Township and Mr. Cook asked if anyone else wants to be on the task force and urged anyone interested to contact him or Linda Scott. The task force hopes to have the specifics on the Township web site as they get factual materials and there will be two (2) meetings next month (October) and the idea of getting the information to the newspaper as well.

Mr. Taylor commented he had been speaking with Mr. Thorne about the railing at Brainerd Lake. He reported the railing is starting to rust from the inside out and is bad condition. Mr. Cook responded the railway is part of the process of repairing the spillway, etc.

Agenda Additions/Changes

Ms. Cunningham, Clerk, stated there are no Agenda Additions/Changes this evening.

Ordinance

First Reading

Cranbury Township Ordinance # 09-10-14

An Ordinance entitled, "Cranbury Township Ordinance # 09-10-14, AN ORDINANCE AMENDING AND REVISING CHAPTER 120 OF THE CODE OF THE TOWNSHIP OF CRANBURY, MIDDLESEX COUNTY, NEW JERSEY, ENTITLED, "RECYCLING" AND ADDING A NEW CHAPTER 121, ENTITLED, "CHIPPING, LEAVES AND BRUSH", was introduced for first reading. On motion by Mr. Cody, seconded by Mr. Cody, the Ordinance was passed on first reading by vote:

Ayes: (Cody
(Cook
(Stannard
(Taylor
(Stout

Abstain: (None
Absent: (None

Nays: (None

Public Hearing: September 27, 2010

WHEREAS, Cranbury Township regulations governing recycling, chipping, leaves and brush have been codified together as Chapter 120 of the Cranbury Township Code; and

WHEREAS, the recycling regulations are enforced by Middlesex County through the County's Solid Waste Management Plan and the chipping, leaves and brush regulations are enforced by Cranbury Township; and

WHEREAS, the two regulatory sections should be separated to avoid confusion and to clarify how and under what circumstances each section is enforced; and

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WHEREAS, the regulations governing chipping, leaves and brush must be revised to better indicate the types of materials that the Township will collect, where and when those materials should be placed at the curb, the number of the warnings that may be given for violation, the identity of the enforcing authority, and the penalty for violation.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranbury that the Code of the Township at Cranbury be and hereby is amended as set forth below.

SECTION 1. Chapter 120 is amended as follows (insertions underlined and deletions ~~struck through~~):

§ 120-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

AGREEMENT - The agreement between the municipality and the authority for the provision of recycling and marketing services.

ALUMINUM CANS - Food and beverage containers made entirely of aluminum.

AUTHORITY- The Middlesex County Improvement Authority, a public body corporate and politic of the State of New Jersey, organized by the County pursuant to the County Improvement Authorities Law (N.J.S.A. 40:37A-44 et seq.)

AUTHORITY COLLECTED RECYCLABLES - The following designated recyclables generated within the geographic boundaries of the Township of Cranbury, which include newspaper, aluminum cans, glass and plastic containers, steel cans, corrugated cardboard, mixed paper and textiles.

BOARD - The Board of Chosen Freeholders of the County of Middlesex, New Jersey.

~~BRUSH - Branches, woody plants, and other like vegetative material that does not exceed 10 inches in diameter and Christmas trees. "Brush" does not include leaves and grass clippings.~~

COMMENCEMENT DATE - The date upon which the Authority and the municipality agree that the Authority, through its contractor, will commence the provision of recycling services.

COMMINGLED CONTAINERS - Twenty-gallon plastic containers to be used by the residents to place plastic containers, glass containers, aluminum cans and steel cans at the curb for collection by the contractor, or such other container designated by the Authority for such use.

CONTRACTOR - The contractor selected by the Authority to provide the recycling services pursuant to the recycling contract.

CORRUGATED CARDBOARD - Boxes and packaging generally made from wood pulp and consisting of two smooth sides with a corrugated inner layer. Brown paper grocery bags are included.

COUNTY - The County of Middlesex, New Jersey.

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COUNTY PLAN - The Middlesex County District Solid Waste Management Plan, adopted by the Board pursuant to the Solid Waste Management Act, which provides for the collection, disposal and/or recycling of solid waste generated within the geographic boundaries of the County, as the same may be amended from time to time.

COUNTY-WIDE RECYCLING PROGRAM - The collection and marketing program for Authority-collected recyclables established by the County and the Authority for all participating municipalities in the County and funded in part with RRIT funds allocated for this purpose.

DEP - The New Jersey Department of Environmental Protection or any successor agency.

DESIGNATED RECYCLABLES - All recyclable materials that are designated by the County in the County Plan as materials that must be source-separated from municipal solid waste at the point of generation. On the date of this chapter, the recyclables designated by the County in the County Plan are newspaper, aluminum cans, glass containers, corrugated cardboard, steel cans, plastic containers, mixed paper, textiles, leaves, motor oil and brush from residential and commercial sources. Amendments to this list include masonry/paving material, rechargeable batteries, tires and white goods from residential and commercial sources. Additional recyclables include electronics, fluorescent bulbs, plastic film and wood scraps from commercial, industrial and institutional, governments and office parks. The County may add or delete certain recyclable materials to designated recyclables from time to time pursuant to a duly adopted amendment to the County Plan approved by the DEP.

ELECTRONIC WASTE - Televisions, VCRs, computer equipment (including, but not limited to, CPUs, monitors, keyboards, scanners, modems, printers, and cables), laptops, telephones, irons, fluorescent lamps, fluorescent bulbs, compact fluorescent bulbs, and undamaged mercury-containing devices (including, but not limited to, thermostats and thermometers).

FLUORESCENT BULBS - Lamps that contain mercury.

GLASS CONTAINERS - All glass containers used for packaging food or beverages.

JUNE 2, 1994 AMENDMENT - The amendments to the County Plan (Nos. 1994-2 and 1994-3) adopted by the Board on June 2, 1994, that, among other things, established the County-Wide Recycling Program.

MASONRY/PAVING MATERIAL - Asphalt, block, brick, cinder, and concrete.

MAY 17, 2007 AMENDMENT - The amendment to the County Plan (No. 2006-2) adopted by the Board of Chosen Freeholders in December 2006 and certified by the NJDEP on May 17, 2007, for municipalities to update their recycling ordinances.

MIXED PAPER - Glossy inserts, magazines, telephone books, junk mail, colored paper, computer paper, office paper, paperboard (chipboard and pressboard), non-metallic wrapping paper, softcover books, hardcover books with covers removed and fine paper.

MIXED PAPER CONTAINER - A covered eight-gallon container in which residents will place mixed paper at the curb for collection by the contractor, or such other container designated by the Authority for such purpose.

MOTOR OIL - A petroleum-based or synthetic oil whose use includes, but is not limited to, lubrication of internal combustion engines, which through use, storage or handling has become unsuitable for its original purpose due to the presence of impurities or loss of original properties.

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MUNICIPALITY - The Township of Cranbury, a municipal corporation of the State of New Jersey.

MUNICIPAL SOLID WASTE - I.D. Type 10 Waste as defined by N.J.A.C. 7:26-2.13(g)(l)(i).

NEWSPAPER - Paper of the type commonly referred to as "newsprint" and distributed at stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest.

PLASTIC CONTAINERS - Soda bottles made of PETE (SRI code #1) and milk, water and laundry product bottles made of HDPE (SPI code #2).

PLASTIC FILM - Stretch/shrink wrap, plastic shopping bags - only for warehouses, retail establishments and supermarkets with 25 or more employees.

RECHARGEABLE BATTERIES - Nickel cadmium (Ni-Cd), nickel metal hydride (Ni-MH), lithium ion (Li-ion) and small sealed lead (Pb).

RECYCLING ORDINANCE - Chapter 120, §§ 120-1 through 120-7 of the Code of the Township of Cranbury, the ordinance enacted by the municipality establishing the mandatory municipal recycling program implemented in accordance with the Solid Waste Management Act and the County Plan, as the same will be amended by the municipality to include the additional designated recyclables as set forth in § 120-2, and as the same may be amended in the future from time to time for other purposes.

RECYCLING SERVICES - All of the duties, obligations, and services to be provided by the contractor that are related to the collection, transportation, separation, processing, storage, sale or disposition, or any combination thereof, of the Authority collected recyclables and the return of same to the economic mainstream in the form of raw materials or products.

RESIDENTS - Private, commercial and institutional residents of the municipality that are required to recycle designated recyclables pursuant to the Recycling Ordinance.

STEEL CANS - Tin-plated, bi-metal and other ferrous food and beverage containers.

TEXTILES - Clean, dry clothing or other fabric measuring at least one foot by one foot in size.

TEXTILE BAG - A special bag to be provided by the Authority for the collection for textiles, or such other container to be designated by the Authority for such purpose.

TIRES - Rubber-based scrap automotive, truck, and equipment tires.

WHITE GOODS - Washers, dryers, ranges, refrigerators, air conditioners, outside grills (including gas tanks for grills), water heater tanks, freezers, stoves/ovens, dishwashers, metal storm doors (without glass window inserts), humidifiers/dehumidifiers, water coolers, metal sinks, and residential kitchen exhaust fans. The preceding list of white goods is not exhaustive; should a question arise concerning whether an item is considered a white good, residents should contact the Department of Public Works for clarification. [NOTE: All devices that contain CFCs must be properly evacuated by licensed individuals prior to disposal with the Township, and all CFCs recovered must be sent to an EPA-approved reclaimer.]

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WOOD SCRAPS - Unfinished lumber from new construction projects, including pallets. "Unfinished" shall mean non-chemically treated (not pressure treated, impregnated with preservatives, insecticides, fungicides, creosote, or other chemicals, and not painted, resin-coated or otherwise surface treated, and not laminated or bonded; and not similarly altered from its natural condition). Only for new construction sites.

§ 120-2. Mandatory recycling items

A. All residents, commercial, industrial and institutional, governments and office parks of Cranbury Township shall recycle, or cause to be recycled, the following categories of recyclables:

- (1) Newspaper.
- (2) Aluminum cans.
- (3) Glass containers.
- (4) Plastic containers.
- (5) Steel cans.
- (6) Corrugated cardboard.
- (7) Mixed paper.
- (8) Textiles.
- (9) Motor oil.
- (10) Leaves.
- (11) Brush.
- (12) Masonry/paving material.
- (13) Rechargeable batteries.
- (14) Tires.
- (15) White goods.
- (16) Electronic waste.

B. All commercial, industrial and institutional, governments and office parks shall additionally recycle, or cause to be recycled, the following categories of recyclables:

- (1) Plastic film.
- (2) Wood scraps.

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§ 120-3. Recycling requirements.

Pursuant to the Recycling Act, each resident, commercial, industrial and institutional, governments and office parks of Cranbury Township shall be required to comply with the recycling plan of Cranbury Township. This plan incorporates the Middlesex County Recycling Plan to meet the state-mandated recycling goals. To effectuate and implement the Township Recycling Plan, it is hereby required that:

A. The Township of Cranbury hereby adopts this chapter to provide for recycling within its borders pursuant to the Recycling Act adopting herein the Middlesex County Recycling Plan as its official municipal recycling program; and

B. All residential and commercial contracts for solid waste collection and/or disposal within Cranbury Township shall be consistent with this chapter and the Middlesex County Recycling Plan.

C. The Township of Cranbury shall provide for a collection system of leaves generated from residential premises and require that persons occupying residential premises within these municipal boundaries shall source-separate leaves from solid waste generated at those premises and, unless leaves are stored or recycled for composting or mulching by the generator, place the leaves for collection in the manner provided in ~~§420-4C(2)~~ 121-2(3), Code of the Township of Cranbury.

~~D. The Township of Cranbury shall provide for a collection system for brush generated from residential premises, and require that persons occupying residential premises within the municipal boundaries shall source-separate brush from solid waste generated at those premises, and place the brush for collection in the manner provided in § 120-4C(3), Code of the Township of Cranbury.~~

~~E~~ D. The Township of Cranbury shall, at a minimum, within 30 days after the adoption of this chapter and at least once every six months thereafter, notify all persons occupying residential, commercial, industrial and institutional, government and office park premises within these municipal boundaries of recycling opportunities and the source-separation requirements of its ordinance and the Middlesex County Recycling Plan. In order to fulfill the notification requirements of this subsection, this municipality may, in its discretion, place an advertisement in a newspaper circulating in the municipality, post a notice in public places where public notices are customarily posted, include a notice with other official notifications periodically mailed to residential taxpayers, or any combination thereof, as the municipality deems necessary and appropriate.

~~F~~ E. The Township of Cranbury shall prepare and distribute additional literature and other educational materials describing, among other things:

- (1) The municipal recycling program established pursuant to the Recycling Ordinance;
- (2) The County-Wide Recycling Program and the recycling services to be provided within the geographic boundaries of the municipality;
- (3) The designated recyclables to be source-separated;

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(4) The manner or method of preparing source-separated material for collection; and

(5) The location and schedules for collection. All such literature and other educational materials shall be prepared in accordance with written guidelines established by the Authority and shall be approved by the Authority prior to distribution.

~~G~~ F. On the commencement date, the Authority will cause the contractor to commence the provision of recycling services for the Authority collected recyclables for all residents. The Authority collected recyclables shall be collected by the contractor at curbside at:

(1) All single-family or duplex residential locations.

(2) All multifamily dwellings with four or less units, and all small businesses. All multifamily dwellings with five or more units, schools, public buildings, hospitals, and other institutions shall deposit the Authority collected recyclables in on-site containers to be provided by the contractor.

~~H~~ G. The contractor shall collect Authority collected recyclables on a biweekly basis. Collections will occur Monday through Friday and, at the contractor's option, on Saturday, except for legal holidays, between the hours of 7:00 a.m. and 6:00 p.m.

~~I~~ H. At the time of placement of recyclable materials designated for collection by the recycling plan of the Township of Cranbury at the curb or street side of residential units, said materials shall be considered the sole property of the Middlesex County Improvement Authority and shall be considered a conscious contribution by that resident to the County Recycling System for collection by the Middlesex County Improvement Authority or its agent.

§ 120-4. Recycling responsibilities.

A. The contractor will be responsible for the collection at the curbside only- ~~for~~ for Authority collected recyclables that have been separated and prepared for collection as noted in § 120-4 ~~CB~~(1).

~~B. The Township will be responsible for collecting leaves and brush prepared and located at the curb in accordance with § 120-4C(2) and (3). The Township will collect tree branches, shrubbery, and other yard clippings on or about the third Wednesday of every month.~~

~~G~~ B. Residents must separate, prepare items as follows:

(1) Recyclables.

(a) ~~Newspaper and~~ Corrugated cardboard must be placed at the curb in segregated, twine-tied bundles (no wire) no greater than 12 inches in height.

(b) Mixed paper, including office paper, Kraft bags and newspaper, must be placed at the curb in the mixed paper container.

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(c) Glass containers, aluminum, cans, plastic containers and steel cans shall be commingled in a commingled container.

(d) Textiles shall be segregated in the textile bag.

(e) Any Authority collected recyclables that are not prepared for collection in this manner will be left at the curb by the contractor.

~~(2) Leaves shall be placed between the sidewalk and the curb for pickup, and shall not be placed closer than 10 feet to any storm drain inlet. Placement of leaves pursuant to this section shall only be allowed during the seven days prior to a scheduled and announced collection. Any placement at any other time or in any other place shall be in violation of this chapter. Leaves shall be free of branches, vines, grass clippings and other debris. Leaves not properly prepared or placed will not be picked up by the Township and the party responsible shall remove the leaves or be deemed in violation of this chapter.~~

~~(3) Brush collection requirements:~~

~~(a) Residents must notify the Public Works Department of requests for chipping services by the Monday before the third Wednesday of the month.~~

~~(b) Materials should be tree branches and shrub branches preferably longer than three feet. All materials should be stacked at the curb or as near to the curb as possible. Hedge clippings, twigs, small branches less than three feet (but not less than one foot) must be bundled with string only (no wire) and must be free of foreign debris, such as stones, dirt, metal, sweepings and rakings. No lumber, construction material or roots are permitted. All material to be chipped should be placed at the curb and no closer than ten feet to a storm drain inlet by 8:00 a.m. on the collection day. Any material placed at the curb that does not conform with these specifications will not be picked up by the Township.~~

D C. White goods and electronic waste recycling. White goods and electronic waste shall be recycled in the township by one of the following means:

(1) A scheduled curbside pickup of white goods and electronic waste by the Department of Public Works. Curbside pickup shall occur once a month on a date set by the Department of Public Works. Residents shall be responsible to contact the Department of Public Works to schedule the curbside pickup. There shall be a per-item fee of \$10 for curbside pickup, which shall be paid to the Township of Cranbury by the resident prior to pickup.

(2) Delivery of white goods and electronic waste by residents to a facility designated by the Department of Public Works during a time and date as determined by the Department of Public Works. There shall be no charge to the resident for the delivery of white goods and electronic waste.

§ 120-5. Construction/demolition waste/recycling requirements.

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A. Pursuant to Plan Amendment 2006-2, at the time of issuance of any building permit, the building code official will provide written instruction on proper disposal and recycling of construction and demolition waste and furnish a Notification of Construction/Demolition Activity Form that must be filled out by the permittee and faxed to the Middlesex County Division of Solid Waste Management (MCDSWM) within 48 hours of issuance of a municipal permit. The following mandatory materials must be kept separate from the garbage and recycled by any construction/demolition site with Middlesex County:

- (1) Corrugated cardboard.
- (2) Masonry/paving materials (including concrete, asphalt, brick, block and cinder).
- (3) Wood scraps (for new construction sites only).
- (4) Tires.
- (5) Paper (newspaper and mixed paper).
- (6) Bottles and cans (glass, aluminum, steel and plastic).
- (7) Leaves and brush.
- (8) White goods (washers, dryers, ranges, refrigerators, and air conditioners).
- (9) Fluorescent bulbs, computers and televisions.

B. All waste materials must be brought to a licensed solid waste facility. All recyclables must be brought to a permitted recycling facility. Recycling must be in place on site throughout the entire construction phase.

§ 120-6. Enforcement.

The enforcement of the Recycling Plan of the Township of Cranbury shall be provided individually and severally by the Township of Cranbury with regard to enforcement of this chapter and/or Middlesex County Improvement Authority, and/or the New Jersey Department of Environmental Protection.

§ 120-7. Violations and penalties.

Any resident or small business of the Township of Cranbury who is found to have violated the provisions of the chapter shall be subject to the following procedures and penalties:

- A. A warning on the first three occasions that said chapter is violated; and thereafter
- B. A fine of up to \$500 per day of violation depending upon the extent of and circumstances of the violation to be assessed pursuant to N.J.S.A. 13:1E-9 by the Middlesex County Improvement Authority, as authorized hereby and pursuant to the inclusion of the section within the Middlesex County Solid Waste Management Plan.

SECTION 2. A new Chapter 121, entitled "Chipping, Leaves and Brush," is added as follows:

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§121-1 Definition.

BRUSH - Branches, woody plants, and other like vegetative material that does not exceed eight (8) inches in diameter, and Christmas trees. "Brush" does not include leaves and grass clippings.

§ 121-2 Responsibilities.

(1) The Township of Cranbury shall provide for a collection system for brush generated from residential premises, and require that persons occupying residential premises within the municipal boundaries shall source-separate brush from solid waste generated at those premises, and place the brush for collection in the manner provided in this chapter.

(2) The Township will be responsible for collecting leaves and brush prepared and located at the curb in accordance with this chapter. The Township will collect tree branches, shrubbery, and other yard clippings on or about the third Wednesday of each month.

(3) Leaf Collection Requirements: Leaves shall be placed between the sidewalk and the curb for pickup, and shall not be placed closer than 10 feet to any storm drain inlet. Placement of leaves shall be allowed no sooner than the weekend preceding a scheduled or announced collection date as listed in the Authority (MCIA) Recycling brochure specific to the Township of Cranbury. Any placement at any other time or in any other place shall be in violation of this chapter. Leaves shall be free of branches, vines, grass clippings and other debris. Leaves not properly prepared or placed will not be picked up by the Township and the party responsible shall remove the leaves or be deemed in violation of this chapter. Persons shall only place leaves at the curb or along the street that is directly abutting their property lines.

(4) Brush collection requirements:

(a) Brush shall be chipped. Placement of brush shall be allowed no sooner than the weekend preceding the third Wednesday of each month, or as otherwise scheduled or announced. Residents must notify the Public Works Department of requests for chipping services by the Monday before the third Wednesday of the month.

(b) Materials should be tree branches and shrub branches preferably longer than three feet. All materials should be stacked at the curb or as near to the curb as possible, along the curb abutting the property owner's lot. Hedge clippings, twigs, small branches less than three feet (but not less than one foot) must be bundled with string only (no wire) and must be free of foreign debris, such as stones, dirt, metal, sweepings and rakings. No lumber, construction material, roots, stumps, mulch, sand, landscape construction material and debris, or soil left at the curb will be collected. All material to be chipped should be placed at the curb and no closer than ten feet to a storm drain inlet by 7:00 a.m. on the collection day. Any material placed at the curb that does not conform with these specifications will not be picked up by the Township.

(c) Brush and limbs placed at the curb must be aligned parallel to the flow of traffic.

(5) Leaf or brush collection may not occur in the event of Office of Emergency Management calls, natural disasters, vehicle blockages, acts of nature (such as snowfall) or other unforeseen occurrences.

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§ 121-3 Enforcement.

Enforcement of this code shall be provided by the Superintendent of Public Works or the Superintendant's designee.

§ 121-4 Violations and Penalties.

Any resident or small business of the Township of Cranbury who is found to have violated the provisions of this chapter shall be subject to the following procedures and penalties:

- A. A warning on the first three occasions that the chapter is violated;
- B. After three warnings, a fine of up to \$500 per day of violation depending upon the extent of and circumstance of the violation.

SECTION 3. Repealer. All ordinances and resolutions, or parts thereof, inconsistent with this Ordinance, are hereby repealed.

SECTION 4. Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5. Effective Date. This Ordinance shall take effect immediately upon its passage and publication, as required by law.

Ordinance
Second Reading

Cranbury Township Ordinance # 08-10-12

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 08-10-12, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY IN MIDDLESEX COUNTY, NEW JERSEY, CONVEYING A PUBLIC UTILITY EASEMENT TO THE CRANBURY BOARD OF EDUCATION ON PROPERTY IT OWNS LOCATED AT THE REAR OF NORTH MAIN STREET AND DESIGNATED ON THE CRANBURY TOWNSHIP TAX MAPS AS BLOCK 23, LOT 7.02", was presented for second reading and final adoption. The Ordinance was published in the Cranbury Press, posted on the Township Bulletin Board and copies were available to the public. The Mayor opened the public hearing on the Ordinance. No one present wished to speak, so the hearing was declared closed. On motion by Mr. Cody, seconded by Mr. Cody, the Ordinance was adopted by a vote:

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

Nays: (None

Resolution

TOWNSHIP COMMITTEE MEETING
September 13, 2010

Cranbury Township Resolution # R 09-10-144-A

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

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

Nays: (None

Cranbury Township Resolution # R 09-10-144-A

A RESOLUTION ADOPTING THE PROVISIONS OF N.J.S.A.52-14-17.38 UNDER WHICH A PUBLIC EMPLOYER MAY AGREE TO PAY FOR THE STATE HEALTH BENEFITS PROGRAM (SHBP) COVERAGE OF CERTAIN RETIREES

BE IT RESOLVED:

The Township of Cranbury hereby revokes the provisions of NJSA 52:14-17.38 for an employee hired after September 13, 2010.

The Township Committee is aware that adoption of this resolution does not free the Township of the obligation to pay post-retirement medical benefits of retirees or employees who qualified for those payments under the Chapter 88 or Chapter 48 Resolution adopted October 7, 2002 by this governing body.

The Township Committee agrees that this Resolution will remain in effect until properly amended or revoked with the State Health Benefits Program.

The Township Committee understand that the Township is required to provide the Division of Pensions and Benefits complete copies of all contracts, ordinances, and resolutions that detail post-retirement medical payment obligations we undertake. The Township of Cranbury also recognize that it may be required to provide the Division with information needed to carry out the terms of this Resolution.

BE IT FURTHER RESOLVED that *Section Three: Employee Compensation, Benefits and Retirement Article Three: Health and Retirement Benefits No. 4* of the Township's Employee Personnel Policy Manual shall be amended to read as follows:

Full time employees hired before or on September 13, 2010 who are at least 62 years of age and who have 15 total years of service with Cranbury Township, or have 25 years of total years of service with Cranbury Township will upon retirement from Cranbury Township be entitled to full medical and dental coverage paid for by the Township. If the retiree is married, the coverage will cover the cost of "employee and spouse". Employees hired after September 13, 2010 will not be entitled upon retirement to full medical and dental coverage paid for by the Township.

Resolution

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

Ayes: (Cody	Abstain: (None
(Cook	

TOWNSHIP COMMITTEE MEETING
September 13, 2010

(Stannard
(Taylor
(Stout

Absent: (None

Nays: (None

Cranbury Township Resolution # R 09-10-145

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, that Denise Marabello shall be appointed Director of Finance/Chief Financial Officer/Treasurer effective September 1, 2010.

Resolution

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

Ayes: (Cody
(Cook
(Stannard
(Taylor
(Stout

Abstain: (None
Absent: (None

Nays: (None

Cranbury Township Resolution # R 09-10-146

APPOINTING TOWNSHIP TAX COLLECTOR

WHEREAS, there was a vacancy in the office of Township Tax Collector; and

WHEREAS, Elaine Fortin has been performing the duties a of Tax Collector for the Township since May 21, 2010; and

WHEREAS, Ms. Fortin has completed her 90 day probationary period; and

WHEREAS, it is the joint recommendation of the Director of Finance and Township Administrator that Elaine Fortin of Wrightstown, New Jersey be appointed to fill this position effective September 13, 2010; and

WHEREAS, Ms. Fortin is a Certified Tax Collector pursuant to the Laws of the State of New Jersey, holding Certificate #T-1233; and

WHEREAS, *N.J.S.A. 40A:9-142* provides for the Tax Collector term of office; and

WHEREAS, Ms. Fortin will serve as Tax Collector for a four-year term ending December 31, 2015;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that Elaine Fortin is hereby appointed to the office of Township Tax Collector, effective September 13, 2010, for a four-year term ending December 31, 2015.

Resolution

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

TOWNSHIP COMMITTEE MEETING
September 13, 2010

Ayes: (Cody
(Cook
(Stannard
(Taylor
(Stout

Abstain: (None
Absent: (None

Nays: (None

Cranbury Township Resolution # R 09-10-147

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, that the following individual be appointed as Cranbury Township Police Lieutenant, effective August 23, 2010.

Franklin Dillane

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

- a) Township Police Chief
- b) Township Director of Finance
- c) Township Administrator
- d) Franklin Dillane

Consent Resolutions

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

Ayes: (Cody
(Cook
(Stannard
(Taylor
(Stout

Abstain: (None
Absent: (None

Nays: (None

Cranbury Township Resolution # R 09-10-148

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 09-10-149

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF EXTRA DUTY ESCROW

WHEREAS, Miller Pipeline has outstanding credits in their Extra Duty escrow account previously posted with the Township.

WHEREAS, the Police Department has no outstanding bills

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the Township of Cranbury release outstanding credits in Miller Pipeline's extra duty escrow account.

TOWNSHIP COMMITTEE MEETING
September 13, 2010

Cranbury Township Resolution # R 09-10-149
(Continued)

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

- (a) Township Director of Finance
- (b) Miller Pipeline, Joanne Cejner

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 09-10-150

WHEREAS, the Township Engineer has applied to the State Department of Transportation for a grant for the "Griggs Tract, Phase II Project; and

WHEREAS, bid proposals will be required for said project; and

WHEREAS, it is in the best interests of Cranbury's residents to have this work performed at Cranbury Estates (a/k/a, "Griggs Tract");

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury that authorization is hereby granted to the Township Engineer, William C. Tanner, P.E. Associate, Van Cleef Engineering Associates to prepare the bid documents and advertise same.

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 09-10-151

WHEREAS, Middlesex County is in the process of performing necessary roadwork repairs on Old Trenton Road; and

WHEREAS, the present sidewalk on Old Trenton Road does not extend to Ancil Davison Road; and

WHEREAS, the Township of Cranbury desires to have sidewalk installed from the end of the existing sidewalk to Ancil Davison Road; and

WHEREAS, the Township Engineer has determined this will greatly benefit the residents of Cranbury Township; primarily for safety reasons; and

WHEREAS, the Township Committee endorses the Township Engineer's recommendation;

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Cranbury hereby approves said sidewalk project and hereby agrees to pay Middlesex County the maximum amount of \$10,010.00;

BE IT FURTHER RESOLVED, a duly authenticated copy of this Resolution be sent to the Middlesex County Engineer, John Reiser.

TOWNSHIP COMMITTEE MEETING
September 13, 2010

Cranbury Township Resolution # R 09-10-152

**RESOLUTION OF THE TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY**

A RESOLUTION AWARDING A CONTRACT FOR SPECIAL LEGAL SERVICES TO TRISHKA WATERBURY, ESQ. AND MASON, GRIFFIN & PIERSON, P.C.

WHEREAS, the Township wishes to retain TRISHKA WATERBURY, ESQ. and MASON, GRIFFIN & PIERSON, P.C. ("SPECIAL COUNSEL") to provide specialized professional legal services to the Township on an as-needed basis during the calendar year ending on December 31, 2010; and

WHEREAS, SPECIAL COUNSEL has agreed to provide specialized legal services to the Township in connection with the following matters, and at the rates set forth hereinbelow:

- Board of Health (\$140 per hour plus disbursements)
- Affordable Housing (\$150 per hour plus disbursements)
- Sewer Fair Share Study and matters related thereto (\$150 per hour plus disbursements)
- Any other specialized legal services as the Township in its sole discretion may from time to time deem necessary and appropriate (\$150 per hour plus disbursements)

and

WHEREAS, the details and costs of the services to be provided by SPECIAL COUNSEL are more specifically set forth in a Professional Services Agreement on file in the Office of the Township Clerk, the terms of which are incorporated herein as if fully restated; and

WHEREAS, the Township is contracting for the foregoing specialized legal services without using the "Fair and Open Process" as defined by L. 2004, c. 19, the "Local Unit Pay-to-Play Law"; and

WHEREAS, SPECIAL COUNSEL has completed and filed with the Township the Campaign Contributions Affidavits 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 this contract without public bidding on the basis that the legal services to be provided are professional services as that term is defined by the Local Public Contracts Law; and

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for these purposes and that the value of the contract may 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:

1. The preamble to this resolution is incorporated herein as if fully restated.

TOWNSHIP COMMITTEE MEETING
September 13, 2010

Cranbury Township Resolution # R 09-10-152
(Continued)

2. The Township of Cranbury hereby retains Trishka Waterbury, Esq. and Mason, Griffin & Pierson, P.C. (Special Counsel) to the Township during calendar year 2010 the specialized professional legal services set forth herein above
3. The Mayor and Clerk are hereby authorized and directed to enter into a Professional Services Agreement with the above-referenced Special Counsel, in accordance with the proposal described in the Preamble of this Resolution, and 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 Local Public Contracts Law because Special Counsel is engaged in a recognized profession, the practice of which is regulated by law.
4. A copy of this Resolution, the affidavits and certifications required by N.J.S.A. 19:44A-20.26, and the executed Professional Services Agreement shall be maintained on file in the Office of the Township Clerk.
5. A notice of this action shall be published in the official newspaper as required by law.

Cranbury Township Resolution # R 09-10-153

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

WHEREAS, on June 24, 2002, Cranbury Township (Resolution # 06-002-105) entered into a Shared Services Agreement with the Monroe Township Municipal Utilities Authority to provide all regular and emergency administration and maintenance for the Township of Cranbury's Sewer System; and

WHEREAS, Monroe Township has submitted a proposed agreement to provide all regular and emergency administration and maintenance for Township of Cranbury's Sewer System for the period July 1, 2010 to June 30, 2011; and

WHEREAS, Monroe Township has proposed a 1.1% annual increase in the rate for sewer system administration and maintenance;

WHEREAS, the Township Administrator has reviewed the terms of the shared services agreement and find that the terms are reasonable and the shared services is beneficial to Cranbury Township; and

WHEREAS, the Township Administrator is recommending to the Township Committee that the agreement be approved;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury, that the July 1, 2010 to June 30, 2011 shared services agreement with Monroe Township for sewer system administration and maintenance is hereby approved.

TOWNSHIP COMMITTEE MEETING
September 13, 2010

Cranbury Township Resolution # 09-10-154
(Continued)

WHEREAS, N.J.S.A. 40a:4-39 provides for the anticipation and expenditures of certain items of dedicated revenues which are not subject to reasonably accurate estimates in advance; and,

WHEREAS, N.J.S.A. 40A:4-39 also provides that such anticipation and expenditures of dedicated revenues is subject to approval of the Director of the Division of Local Government Services, and

WHEREAS, it is the desire of the Township Committee of the Township of Cranbury, County of Middlesex, to anticipate and expend certain dedicated revenues from a Municipal Alliance on Alcohol and Drug Abuse fund

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the Director of the Division of Local Government Services in the Department of Community Affairs, be and is hereby requested to give written consent to the insertion, under Dedication by Rider in the Budget for 2010 and subsequent budgets of the following:

Municipal Alliance on Alcohol and Drug Abuse Trust Fund

BE IT FURTHER RESOLVED, that two certified copies of this resolution be furnished to the Director of the Division of Local Government Services.

Cranbury Township Resolution # 09-10-155

RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT WITH
ST. DAVID'S EPISCOPAL CHURCH FOR THE PROPOSED DEVELOPMENT LOCATED AT
BLOCK 18.01, LOT 52 IN THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE
OF NEW JERSEY

BE IT RESOLVED, by the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey, that the Township is authorized to enter into a developer's agreement with St. David's Episcopal Church regarding its proposed development located at Block 18.01, Lot 52 (Cranbury Township Tax Map) in the Township of Cranbury, County of Middlesex, State of New Jersey; and

FURTHER BE IT RESOLVED, that the Mayor and Clerk are authorized and directed to execute the developer's agreement once all conditions precedent to execution are satisfied.

Reports from Township Staff and Professionals

Assistant Administrator's Report

Ms. Marabello, Assistant Administrator, reported the Township has received a legal opinion from Mason, Griffin and Pierson on the Sewer Fair Share and whether or not the Township would be able to go after the developers for additional sewer and fair share fees. Ms. Marabello has given the memo to the Township Attorney, Mr. Steven Goodell, Esquire, at the suggestion of Mason, Griffin and Pierson, to ask his legal opinion on the issue. Mr. Cody asked if this will affect the sewer rates for next year, and Ms. Marabello explained fair share has nothing to do with the rate. However, if the Township is allowed to go after additional fair share fees, it will help the Township to pay down its debt which eventually will help with the rates. Mayor Stout further explained the developers pay a connection fee as well as a fair share fee for improvements. The basis for the amount of that fair share is on the projection of what type of flow a developer has. In the Township's developer's agreement, the Township includes a rider which states if a developer's flow is actually more than what was anticipated in the developer's agreement, the Township has a right to ask for more. The question is if the Township is able to do so legally.

TOWNSHIP COMMITTEE MEETING
September 13, 2010

Reports from Township Staff and Professionals (Continued)
Assistant Administrator's Report (cont'd)

Ms. Marabello indicated Mr. Goodell is coming in to see her tomorrow morning to discuss the issue with her.

Ms. Marabello reported there are some issues with Hatch Mott MacDonald including documents they will not release and billing issues. Mr. Goodell, Esquire, Township Attorney, is working with Hatch Mott MacDonald and Ms. Marabello asked him for an update. This past weekend Mr. Goodell emailed Ms. Marabello and indicated Mr. Tanner, P.E., Township Engineer, has permission to make copies for various past Cranbury Township projects which are in their storage facility and in addition the Attorney for Hatch Mott MacDonald has approved the Agreement previously prepared releasing them from any liability when they turn over records to the Township. Mr. Goodell will review any changes Hatch Mott MacDonald has made to the Agreement. Ms. Marabello stated nothing is final yet and the Township is still in the process of working everything out.

Ms. Marabello reported the Township had received from the State of Jersey, a "Best Practices Management Check-List" which basically is a form containing a lot of questions for municipalities to check off whether or not you have performed the items. Ms. Marabello stated the outcome of a municipality's answers will determine how much State aid a municipality will receive from the State and added, "it is virtually impossible for a municipality to achieve 100%". Ms. Marabello reported she had called the State to let them know some of the questions are not even applicable to Cranbury Township and was told any questions that are checked with a "no" must have an explanation next to it. The State will be reviewing the form and if it should determine the explanation is reasonable the State will change it to a "yes". The State did indicate there are a lot of inconsistencies in the form. Furthermore, they are not clear what the term "shared services" means; however, it is used quite loosely and they have received many telephone calls concerning the form as it will affect a municipality's State aid. Ms. Marabello reported the Department of Community Affairs (who sent out the checklist) indicated they had hired an outside firm to create up with the checklist! Ms. Marabello indicated she feels the Township should do well with the checklist. However, municipalities should have been told to implement a lot of the items in January and now are being asked "did you do it" and the items are not even statutorily required.

Ms. Marabello reported the Performance Evaluation Process has been started. The employees have received their Self-Evaluation Forms and the entire process should be completed by the Department Heads no later than the end of October. Ms. Marabello will be reviewing the forms after that and then prepare a matrix for the Personnel Subcommittee to review.

Ms. Marabello reported she had sent the Township Committee members an email last week concerning a request from Ms. Debbie Rifkin, Chairperson of the upcoming "Cranstock" event asking to have logos spray-painted on the grass at the entrance of Village Park (where the event will take place) and on the corner of Main Street and Old Trenton Road. She reported the logo is water-resistant and can only be mowed down. Ms. Rifkin has requested the logos be put at the two (2) locations the Monday prior to the event which is Friday, September 24th and Saturday, September 25th. The Township Committee members were not in favor of placing a logo at Heritage Park, and all agreed the entrance of Village Park would be acceptable, with the permission of the Parks Commission. Ms. Marabello will let Ms. Rifkin know she must get permission from the Parks Commission for the logo to be placed at the entrance of Village Park only. The Township Committee members all agreed this should be used as a "test case" to see what kind of feedback is received from the Township residents. A motion was made by Mr. Cook, seconded by Mr. Taylor, pending approval of the Parks Commission, permission is granted to "Cranstock" to paint a logo at the entrance to Village Park:

Ayes: (Cody

TOWNSHIP COMMITTEE MEETING
September 13, 2010

(Cook
(Stannard
(Taylor
(Stout

Abstain: (None
Absent: (None

Nays: (None

Ms. Marabello asked the Township Committee to give temporary permission to the County to use a power boat on Brainerd Lake in conjunction with the Brainerd Lake Dam repair project. The boat will be used to inspect the Dam prior to the lowering of the Dam. The Township Committee unanimously agreed the County should have a Certificate of Insurance which will release the Township of any liability. On motion made by Mr. Cook, seconded by Mr. Stannard, to grant a temporary permit to the County for use of a power boat on Brainerd Lake to perform repairs of the Dam with the provision that the Township receive release from all liability:

Ayes: (Cody
(Cook
(Stannard
(Taylor
(Stout

Abstain: (None
Absent: (None

Nays: (None

Mr. Taylor asked Chief Varga why there was a spike in the number of summonses for July and August. Chief Varga responded a lot of the summonses were issued due to the decrease in the speed limit on Old Trenton Road. He added, motorists were advised for the first 30 days of the speed decrease, and then after thirty days, offenders were issued violations. Chief Varga reported his Office has received a lot of complaints the speed limit is now too low. Mr. Taylor also asked if the "D.U.I's" are separate from the other arrests. Chief Varga reported they are included in the overall total. There were three (3) "D.U.I's" for the month. Mr. Taylor also asked about the hours for the Court and if it were for our officers going to the Court. Mr. Varga responded it was for our officers having to go to the Court.

Reports from Township Boards and Commissions
There were no reports.

Public Comment

The Mayor opened the meeting to public questions and comment. Mr. Mark Berkowsky, Cranbury Housing Associates, stated there is a slight delay in the design of the Route 130-D site due to the fact they have not had an opportunity to go back to the Planning Board and are scheduled for a "Special Hearing" on Wednesday, September 29, 2010. At the meeting a review will take place of the plans Township Planner, Richard Preiss, had prepared as well as to discuss the lack of connection to Ryan Road. Mr. Cook inquired as to the issue on the drawings that were prepared by Mr. Preiss. Mr. Berkowsky responded Mr. Preiss had made changes to the original concept and Cranbury Housing Associates stands by its original presented concept. Mr. Berkowsky indicated the layouts prepared by Mr. Preiss are completely different. Mr. Berkowsky also asked the status of the "noticing ordinance". Ms. Marabello reported she had in fact spoken with Ms. Waterbury, the former Township Attorney who indicated she did not feel comfortable doing the ordinance without the Planning Board's input. Ms. Cunningham reported she had personally spoken with Ms. Waterbury who indicated special noticing should not be required as the Township is presently in the process of updating its Master Plan. Mayor Stout asked Ms. Marabello to follow up with the Planning Board Secretary to find out the status. Mr. Cook suggested putting something on the web site to alert residents. There being no further comments, the Mayor closed the public part of the meeting.

TOWNSHIP COMMITTEE MEETING
September 13, 2010

Resolution

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

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

Nays: (None

Cranbury Township Resolution # R 09-10-156

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 (8) /Personnel: Discussion of filling the positions of Township Administrator and Assistant Administrator.

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: September 13, 2010

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

Mayor's Notes

Mayor Stout appointed Mr. Daniel Black to the Municipal Alliance Committee as an Alternate with a term expiring on December 31, 2010.

On motion by Mr. Stannard, seconded by Mr. Taylor and unanimously carried, the meeting adjourned at 8:51 p.m.

Kathleen R. Cunningham, Clerk