

TOWNSHIP COMMITTEE MEETING
December 20, 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: David Cook, Richard Stannard, James Taylor, Mayor David Stout, Township Committeemen-elect Dan Mulligan and Glenn Johnson. Mr. Cody arrived at 7:02 p.m. Also present were Steven P. Goodell, Esquire, Attorney; Denise Marabello Administrator/Director of Finance and Kathleen R. Cunningham, Clerk/Assistant Administrator. 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.

Resolution

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

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

Nays: (None

Cranbury Township Resolution # R 12-10-205

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:

---- Pending or Anticipated Litigation; N.J.S.A. 10:4-12B (7);
Discussion of potential litigation;

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

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Cranbury Township Resolution # R 12-10-205
(Continued)

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: December 20, 2010

Reports and Communications
--Mayor

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

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

Nays: (None

Mr. Cody read the following resolution honoring Mayor David Stout:

Resolution

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

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

Nays: (None

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 12-10-206

WHEREAS, David Stout began his service to Cranbury Township serving on the Cranbury Township Environmental Commission from May, 2001 to 2005 often lending his expertise on environmental issues to the Commission; and

WHEREAS, David Stout was then elected to serve as Cranbury Township Committeeman in 2005; and

WHEREAS, David has continued to serve on the Township Committee since 2005 and, in addition, served as the Township's Mayor in 2007, 2008 and again in 2010 and has been "the voice of reason" at many Township Committee meetings; and

WHEREAS, he also served on the Cranbury Township Planning Board as a Class III member in 2005, 2006, and then as a Class I member in 2009 and 2010; and

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Cranbury Township Resolution # R 12-10-206
(Continued)

WHEREAS, David Stout has been instrumental in the preservation of the "Cranbury Preserve" (former West Property), the Reinhardt North parcel, the Fischer parcel and other open space acquisitions throughout his career contributing to the wonderful "vista" enjoyed by many residents of the Township today; and

WHEREAS, he has also served as Liaison throughout the years to the Environmental Commission, Planning Board, Shade Tree Commission and Development Review Committee;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that David Stout is thanked with great gratitude; and

BE IT FURTHER RESOLVED that a duly authenticated copy of this resolution is presented to David with best wishes for a healthy and fruitful future.

Following are the remarks made by Mayor Stout:

"Six (6) years on the Township Committee equals 2,190 days. In that time my family has made the greatest sacrifice. I would like to thank my lovely wife, Rebecca, who is here and my beautiful daughters Emily, Claire and Charlotte for all their love and support and understanding during these six (6) years. Together when we started this journey, we were all a little younger; no I didn't have any hair! I want to thank my friends and neighbors in Cranbury for placing their trust in me in allowing me to have this great experience. I have worked with a lot of wonderful people and have learned a lot of great things during this time. As you all know, Cranbury is blessed in many ways; this includes the volunteers and employees who make this place so special. Thanks for all that you do. I appreciate the opportunity to serve with other members of the Township Committee—the longest tenure with Richard Stannard who has always been of great counsel. To the volunteers on boards and commissions—I implore you to get active and keep up the good work! I leave with the words of Teddy Roosevelt, "The only person who makes no mistake is the person who does nothing"; that's the way we do things in Cranbury! Thank you very much for your support."

Mr. Cook read the following resolution honoring Mr. Stannard:

Resolution

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

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

Nays: (None

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 12-10-207

WHEREAS, Richard Stannard was elected to serve as Cranbury Township Committeeman in 2002, then re-elected in 2004, and 2007 and in 2005 was elected Mayor; and

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Cranbury Township Resolution # R 12-10-207
(Continued)

WHEREAS, Richard has always honored the residents' trust and faith in electing him by making fair and sound decisions throughout the years; and

WHEREAS, Richard also served on the Planning Board as a Class I member in 2005, 2006, 2007, as well as Class III member in 2008, 2009 and 2010; and

WHEREAS, Richard served as the Township Committee's Liaison to the Cranbury Business & Professional Association, Historical Preservation Society, Office of Emergency Management, Shade Tree Commission and Board of Health throughout his years of service; and

WHEREAS, Richard has contributed to Cranbury's beautiful "vista" with his support of purchasing land in the Township for open space and preservation purposes; and

WHEREAS, Richard's sense of humor at various Township Committee meetings has often lightened up what would have otherwise been tense moments; and

WHEREAS, Richard and his lovely wife Kathleen, have now decided to leave Cranbury Township in the near future to return to their roots in Connecticut;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that Richard Stannard is thanked with great gratitude; and

BE IT FURTHER RESOLVED that a duly authenticated copy of this resolution is presented to Richard with best wishes for a healthy and fruitful future.

Following are the remarks made by Mr. Stannard:

"If the math is correct, it looks like I have been here for 9,430....it has been a real pleasure working here with everyone and those who are no longer on the Committee. I feel as though of the two (2) recently-elected Township Committee members are both extraordinary men with good ideas and will be a huge benefit to the Township. More recently, Dave Cook and I have settled the differences on the termites on that old house so everything is good! On a very recent note, the cutest baby picture I've ever seen came in the form of a Christmas card in the mail today from a committeeman; thank you very much Jay! The Township is being left in very good hands and it has been a pleasure—thanks!"

Reports and Communications

---Mayor

Mayor Stout reported the Planning Board had met last week and adopted the new version of the Township's Master Plan and thanked Messrs. Cody and Stannard for their hard work on the subcommittee. He stated it was a year-long process and Committeeman-elect Mulligan also faithfully attended the meetings and offered a lot of valuable insight to the process as well. Mr. Arthur Hasselbach is in the audience—he also attended the meetings faithfully and contributed as well. Mayor Stout thanked everyone in the community as well who contributed whether by email or attending in person.

Mayor Stout also reported the Township has received paperwork indicating it will be receiving \$400,000 from Middlesex County to go towards the purchase of Reinhardt North. When the Township purchased the property the Township was promised it would receive help from three (3) different sources and now one of them has come through.

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Reports and Communications (Continued)

---Members of Committee

Mr. Cook reported sometime in the mid-70's Brainerd Lake had been dredged. Various vegetations had overgrown the Lake and if it had not been dredged, would have looked like Grover's Mill. Today a group, Aquatic Technologies, Inc., came down to look at the Lake to address the possibility that there is vegetation issue beginning. Their recommendation is not to fully dredge the lake rather to use an herbicide process which would be non-toxic and will address the lily pad growth problem. Mr. Cook indicated the Township should be receiving an estimate within a few weeks.

Mr. Taylor reported he had attended the Fire House Santa last Friday evening and unfortunately the turnout had been considerably less than in previous years; however, Santa was still able to take the wishes of many of Cranbury Township's children.

Mayor Stout acknowledged Mr. Taylor for giving the most thorough reports of any Township Committeeperson he served with his six (6) years in office.

Agenda Additions/Changes

Ms. Cunningham, Clerk, announced the addition of Cranbury Township Resolution # R 12-10-213, which rejects the bids received last Friday for the "Village Park Irrigation Test Well". Ms. Cunningham reported the lowest bid came in far over the Township Engineer's estimated cost of \$12,500.

Adoption of Regular Township Committee Minutes for November 22, 2010

On motion by Mr. Taylor, seconded by Mr. Stannard and unanimously carried, the Township Committee Minutes for November 22, 2010 were adopted.

Adoption of Regular Township Committee Minutes for December 6, 2010

On motion by Mr. Stannard, seconded by Mr. Taylor and unanimously (with Mr. Cody abstaining), the Regular Township Committee Minutes for December 6, 2010 were adopted.

Adoption of Closed Session Township Committee Minutes for December 6, 2010

On motion by Mr. Taylor, seconded by Mr. Stannard and unanimously (with Mr. Cody abstaining), the Closed Session Township Committee Minutes for December 6, 2010 were adopted.

Ordinance

Second Reading

Cranbury Township Ordinance # 12-10-19

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 12-10-19, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER 5.8, **"PRIVATE DUTY SERVICE"**", 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. Taylor, seconded by Mr. Cody, the Ordinance was adopted by a vote:

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

Nays: (None

TOWNSHIP COMMITTEE MEETING
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Ordinance
Second Reading

Cranbury Township Ordinance # 12-10-20

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 12-10-20, A BOND ORDINANCE PROVIDING FOR THE REMAINDER OF THE TOWNSHIP'S SHARE OF THE COSTS OF THE EASEMENT PURCHASE OF THE TOSCANO FARM IN AND BY THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$11,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$10,450 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF", was presented for second reading and final adoption. The Ordinance was published in the Cranbury Press, posted on the Township Bulletin Board and copies were available to the public. The Mayor opened the public hearing on the Ordinance. Mayor Stout explained the Township participated with the County to retire the development rights on the Toscano Farm which is locally known as "Ree-Jays". When the Township went to closing it was discovered the land was actually more than originally reported causing a shortfall. Mr. Stannard asked the Township Attorney, Mr. Goodell, to give a brief explanation of the difference between this easement and the right of way to approach a property that is otherwise unapproachable. Mr. Goodell stated property is composed of many different rights "resembling different sticks". If you own all of the sticks, you own the property in "fee simple". You can sell off any one of the sticks. For an easement to walk on the property, the landowner can sell only the right to go across the property (the limited right to use the property for a limited purpose). The development rights are another one of the "sticks". A farmer can sell the development rights so the property will always be used as a farm and gives up the right to develop the property in the future for any other kind of use. No one else present wished to speak, so the hearing was declared closed. On motion by Mr. Stannard, seconded by Mr. Taylor, the Ordinance was adopted by a vote:

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

Nays: (None

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

Section 1. The several improvements described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Cranbury, in the County of Middlesex, New Jersey (the "Township") as a general improvement. For the several improvements or purposes described in Section 3, there is hereby appropriated the sum of \$11,000, including the sum of \$550 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$10,450 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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Cranbury Township Ordinance # 12-10-20
(Continued)

Section 3. (a) The improvements hereby authorized and the purpose for which the bonds are to be issued is the remainder of the Township's share of the cost of the easement purchase of the Toscano Farm necessary therefore and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

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

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$10,450, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$0 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

TOWNSHIP COMMITTEE MEETING
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Cranbury Township Ordinance # 12-10-20
(Continued)

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

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

Work Session

a). Discussion by Andrew Zysk on his Eagle Scout Award Project

Andrew Zysk (Boy Scout Troop 52) presented and discussed with the Township Committee members his proposed Eagle Scout Award Project to construct a walkway for the Civil War Monument to be dedicated on June 11, 2011. Mr. Taylor explained the New Jersey Civil War Association is donating to the Township (with a dedication on June 11, 2011) a monument honoring the Civil War soldiers from the 14th Infantry which consisted of mainly soldiers from Cranbury along with soldiers from surrounding areas. The monument will be placed at Memorial Park, and Andrew has volunteered to do the walkway from the main sidewalk.

b). Discussion of Township Easements

Mayor Stout gave a brief history explaining this easement issue began about one (1) year ago. A subcommittee was subsequently formed in June of this year and now the Township Committee is looking at the subcommittee's recommendations.

Mr. Tom Weidner, 28 North Main Street and Chairperson of the Parks Subcommittee reported the Township had two (2) publicly-owned pieces of land in Cranbury; Memorial Park and the Cranbury School's grounds. Memorial Park had monuments for the soldiers who served in World Wars I and II. The School Grounds had a baseball field, some swings and a jungle gym. Since then, the Township Committees over those 50 years have been pressing in acquiring public lands for the people to use and have done an outstanding job, including the Township Committee that presently sits here. They have provided for

TOWNSHIP COMMITTEE MEETING
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Work Session (Continued)

b). Discussion of Township Easements

numerous public lands, with Village Park opening in 1964, the West Property and the Unami Woods which is in its natural state. In 2000 the Open Space and Recreation Plan recommended the Township create a greenway along all of Cranbury's streams--the Millstone, Cranbury Brook and Cedar Run and to also acquire properties where easements or deed restrictions do not exist. In the 2007 Open Space and Recreational Plan, it reiterated that Cranbury should create the greenway along Township streams and purchase lands where no easements or deed restrictions exist. In particular, the 2007 Open Space and Recreational Space Report provides "It would also be useful for the Township to identify all of the easements which the Township currently possesses, to inform citizens of where they exist for the common use and enjoyment of the community." In 2009 the Parks Commission examined the stream corridors for purposes of public access. Mr. Weidner reported Cranbury Brook and the West Property are beautiful pieces and recently there has been a trail installed on the West Property. Mr. Weidner reported Mr. Cody had led a walk along the West Property to Plainsboro in the Fall of 2009 and, even though it had rained, many residents showed up. Mr. Weidner stated the goal was to create a walkway to the Cranbury/Plainsboro border. However, the Township does not own all the lands along the proposed walkway. He reported there are tree farms that the Township does not have access to and will take a long time to acquire. Mr. Weidner reported the other item the Parks Commission looked at was the Millstone River as the Township already owns the land and also has easements to access that land. The Parks Commission's recommendations were to place markers in the street on Washington Drive to let the people know where the easements are located. The Township Committee reviewed the Commission's recommendations and then appointed the subcommittee to look into it further. Mr. Weidner stated the developer of Shadow Oaks gave 46 acres to the Township approximately 46 years ago and they provided access by five (5) "walkway easements". Mr. Weidner reported as the Subcommittee began investigating it found out, based upon discussions with a former Planning Board member and also residents who live in Shadow Oaks, the Subcommittee believes that the Planning Board originally required or contemplated the planting of white pines to identify the walkway easement areas in an unobtrusive manner. The white pines were apparently not planted on all of the easements. Only a few of the pines exist today so that there are no visual indicators of the locations of these easements. The Township Committee asked the Subcommittee to "come up with a solution for the Township's easements but leave the public lands, to recommend what kind of identification will be appropriate for marking the easements to make them more identifiable to the public and to look at all easements in the Township and not just a specific area". Mr. Weidner stated the members of the subcommittee, two (2) of whom live in Shadow Oaks, adjacent to the 46 acres (one actually having an easement on his property), two (2) are on the Parks Commission, two (2) others, and Township Committeeman Jay Taylor who is also a member however, he did not vote on the final vote by the Township Committee.

Mr. Taylor reported what the Subcommittee's thought process was when the Subcommittee was created and selected the members by explaining the Subcommittee was charged with looking at all the easements in town, not just Shadow Oaks. However, Shadow Oaks because there is no identifiable path or marking or easements was given a little bit more attention. The other areas looked at were Village Park as there is a member from the Maplewood Avenue area, Anna Drago (Park Place East) to give input from the center of the Village, Brian Schilling, Cranbury Estates (Ryan Road), to give an opinion for North-end residents and Christine Parker to give an opinion for Wynnewood Estates area residents. Mr. Taylor stated the intention is to have representation from all areas of the Township and extra attention was given to Shadow Oaks as there never had been any identifiable markings placed where the easements exist.

TOWNSHIP COMMITTEE MEETING
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Work Session (Continued)

b). Discussion of Township Easements(cont'd)

Mr. Weidner continued by reporting the subcommittee had met four (4) times and visited Shadow Oaks to walk around the 46-acre parcel. Two (2) members reviewed the 39-page document (easements) prepared by Richard Kallan several years ago and the 2008 property tax maps to identify all relevant easements in the Township. In addition, two (2) members of the subcommittee examined the Tax Assessor's files for certain specific properties where more information was desired. All meetings were noticed on the Township's web site and open for public input. Mr. Weidner reported the subcommittee heard comments from approximately 10 to 15 residents from Shadow Oaks. It decided it was not necessary to make any special efforts to solicit public comments beyond that. The Subcommittee divided the numerous easements into four (4) categories; the first: easements to open space by a public land, second: Township land to public parks and open space, third: easements in Township lands connecting neighborhoods and fourth: miscellaneous. The easements to open space by a public land are all the five (5) Shadow Oaks easements that lead from Washington Drive to the 46 acres of Township land. Mr. Weidner reported the residents from Shadow Oaks had given the subcommittee very useful input that was very helpful in its deliberations. Mr. Weidner stated the subcommittee believes that the 46 acres of public land along the Millstone River lying adjacent to a number of Shadow Oaks homes should be marked, with the proviso that such action is not predicated upon the development of trails in this space. Rather, from the subcommittee's inspection of the property and associated easements, as well as consideration of public comments, it is believed that this property is best left in an unimproved or natural state and managed as a resource for the local community. We believe that the easements should be marked, but it is not anticipated or intended that the easements will be as well used as the West or Reinhardt properties, for example. The second category is the Township land to parks and open space consists of three (3) narrow strips of land which are either owned or rented by Cranbury Township and provide access to parks or open space. It's not obvious from the public street that the strip goes to the parks' open space; adding those and marking those with our suggested "green dot" (or whatever you think is appropriate if you should decide to do this) it would be to let Cranbury's citizens know that these markings generally are to parks and open space. Mr. Weidner stated the only caveat on this by the subcommittee is that they assume this would be a diminutive cost. However if it is not, the Township may want not want to do that if the cost is too great. The third category are seven (7) easements or Township lands connecting neighborhoods. Four (4) of them are sidewalks that connect to streets; two (2) are in Shadow Oaks on unimproved land and all of these could be marked to provide uniformity by showing that the markings provide public access and again if the cost is dimunitis. There was one (1) miscellaneous easement that now connects to preserved farmland and the most logical explanation is that at the time the owner of the farmland was considering developing it and that there would be another easement connecting two (2) streets had the development gone through. It would have been very similar to Cranbury Greene where there are walkways that connect to cul-de-sacs. The subcommittee was unanimous on recommending that it not be marked. Mr. Weidner reported the subcommittee voted 5-1 to make a recommendation to the Township Committee that markers (green dots) be placed on the curb or in the street adjacent to:

1. All public walkway easements to parks and open space by private lands with a clear understanding that the subcommittee feels it would be inappropriate to develop trails at the Shadow Oaks Millstone River stream corridor open space.
2. The strips of Township land which lead to parks and open space for the purposes of uniformity provided the cost is dimunitis and
3. Public walkway easements on private property or Township land which connect neighborhoods for purposes of uniformity providing the cost is dimunitive,

Mr. Weidner indicated the subcommittee had voted 6-0 for not placing markers on the one (1) other easement. Mr. Weidner stated unfortunately, the recommendations with regard to Shadow Oaks are controversial and somewhat divisive. The subcommittee recognizes Shadow Oaks' residents concerns and the subcommittee chose the least-obtrusive method

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Work Session (Continued)

b). Discussion of Township Easements(cont'd)

they could think of. He reported no one during the deliberations ever came up with a less obtrusive method other than not doing anything. The easements have existed for 30 years. No change in the easement status was in the subcommittee recommendations. Mr. Weidner reported in conversations with long-time residents of the Township they were not ever aware of the 46 acres and easements to access the 46 acres. Mr. Weidner referenced a letter of support from Mr. and Mrs. Silverman to place markers throughout the Township so its residents may enjoy the area and know exactly where they are. Mr. Dale and Ms. Joan Smith also were not aware of the easements until a few years ago. Ms. Kathy Easton, a 30-year Cranbury resident also never knew about the easements or the 46 acres. Mr. Weidner reported some of the concerns of the subcommittee if there are no markings at all: How can the Township keep this a secret if it owns 46 acres with five (5) access points to the land; if someone calls the Township, what should we say, how will residents know exactly where to go and how do we prevent them from going on the wrong property. Ten (10) to 12 people have carefully considered this issue; two (2) of them living adjacent to the 46 acres and all but one (1) have agreed these discreet markings are the least obtrusive way to proceed. Mr. Weidner entertained questions from the public:

Mr. Cook asked the original motivation for the project as far as marking the easements; was there a request by residents in town or was it a project that seemed like a good one to pursue. Mr. Weidner responded the original motivation was to implement the 2007 Open Space and Recreation Plan that had been adopted in 2007. Mr. Weidner added no specific person or group of residents came before the Parks Commission to demand that markers be placed at the easement locations.

Mr. Taylor reported the subcommittee meetings went over four (4) days and approximately 16 hours and involved a lot of pro and con debate. Mr. Taylor explained the tax maps were not too clear and thanked Ms. Patty Janovitz and Tom for reviewing the tax maps. Mr. Taylor reported also the Township Committee had received a petition on December 15, 2010 with 124 signatures from Shadow Oaks residents representing approximately 70 homes to the contrary about the markers. Mr. Taylor stated whatever decision the Township Committee makes has to be fair to all of the residents in the community. Mr. Taylor stated it will not be an easy decision for him to make as there are residents who are in favor of the markings.

Mr. Mulligan, Township Committeeman-elect, asked Mr. Weidner if the Township knows for a fact the land was meant to be used as a walking area and has anyone come across any agreements from Shadow Oaks when the land was originally turned over to the Township. Mr. Weidner responded the easement that goes from Shadow Oaks to Cranbury Township is deeded with five (5) walkway easements. All of the five (5) properties have drainage easement as well as the walkway easements and some have utility easements. Mr. Weidner added the intent was to give people access to the 46 acres deeded to the Township. Mayor Stout reported the parcel is on the Township's Recreation and Open Space Inventory which is on file with Green Acres/County Office of Deeds and allows the Township to receive funding for open space acquisitions. Mr. Taylor stated he has not heard any homeowner say no one is allowed to walk the easement and believes there is an understanding that the walkway easement is a way for people to get back there however, he thinks the question at hand is once you get to the brush part what does one do. Mr. Cook raised his concern with marking the easements at Shadow Oaks to "trails to nowhere" as opposed to where his family lives on Maplewood Avenue. He explained his yard butts up to a fence at Village Park. He expressed his feeling about Shadow Oaks being significantly different as these easements essentially lead to a briar patch and is wetlands and not conducive for use anything similar to the Village Park, the Memorial Park or the other park near Cranbury Green. Mr. Cook stated he feels there is a big backlash for another reason

TOWNSHIP COMMITTEE MEETING
December 20, 2010

Work Session (Continued)

b). Discussion of Township Easements(cont'd)

regarding this issue is because unlike the West property there is significant residential population surrounding the 46 acres at Shadow Oaks. Mr. Cook added it is not marked very well and originally it is his understanding it was to be marked with white pines, giving the public the idea to access this area. Mr. Cook stated if the area were to be marked individuals would be invited to a place that probably should not be there and if someone goes to the area behind Shadow Oaks they "will be going to hide and not going to play basketball." Mr. Cook stated he wants to be clear that the Township Committee hears "both sides of the fence" on marking or not marking the easements. Mayor Stout added the Township owns two (2) types of parkland; active and passive and this would fall under the area of passive parkland which is parkland meant for individuals for things other than sports. The Reinhardt North parcel would fall under this category as well as the West Property and those residents who live on Wynnewood would say the same about Unami Woods. Mr. Cody stated the Township has received "massive" opposition from 124 residents in Shadow Oaks and stated the easements are also drainage easements. Mr. Cody asked if the Township has documentation showing what the intention of the walkway easements is. Mr. Goodell, Esquire, Township Attorney, responded he has the deeds for the five (5) easements and also a copy of the Township's "R.O.S.I." (Recreation and Open Space Inventory) which has to be filled out and filed with the State whenever the Township purchases open space land or land for preservation. Mr. Goodell reported the R.O.S.I. lists the Millstone River Shadow Oaks Stream Corridor as open space as part of the lands held by the Township for recreation and conservation purposes. For each of the individual easements there is a deed and the deed indicates is it subject to a "6 foot underground utility easement and a 6 foot drainage easement and a 25 foot wide "walkway easement." He stated in some of the deed easements the following language exists: "It is the true intent of these presence to convey to the grantee (Township in this case) the perpetual right to construct, re-construct, inspect, repair, enlarge, maintain, operate and use within the limits of said lands, a sanitary sewer line, water line, storm drainage line and walkway with appendages for sewage, water, storm water drainage and walkway purposes as part of the public infrastructure system of said Township including without limitation; construction of infrastructure, facilities maintenance, clearing of structures, shaping and stabilizing piping and covering or altering of the premises herein provided that upon the completion of any work related to the aforementioned purposes, the grantee should cause all materials used/not used to be removed. The grantor (homeowner) agrees not to erect any structure or planting other than grass on the premises in question." Mr. Goodell stated often a map is attached indicating the location of the deed easement. Mr. Taylor asked Mr. Goodell about liability; should someone get hurt. Mr. Goodell reported there is actually a State law which addresses liability and was enacted in 2001. Mr. Goodell reported the State law deals with homeowner liability for lands that are held and restricted. The landowner (homeowner) is only liable for a "malicious or willful failure to guard or warn against dangerous conditions." The Township has the right to construct any of the above-mentioned on the property where the easement exists. Township Committeeman-elect Mulligan asked if a resolution had been adopted years ago when the 46 acres were given to the Township. Mr. Goodell responded no as this is property law and would have been spelled out at the time of the closing when the open space was given to the Township. Mr. Cody referenced the homeowner's lot on the corner of Old Trenton and Washington Drive and reported the wording indicates it is a "utility/walkway easement" and indicated this easement actually cuts across the homeowner's land. Mr. Cody questioned why this would be unless it is a utility easement only. Mr. Goodell explained if the decision were up to a judge, it would be interpreted the utility and/or drainage easement, even if it is not called a "walkway easement" would allow the Township to allow individuals to walk it to get from one location to another. Township Committeeman-Mulligan asked Mr. Taylor if the subcommittee discussed how much of the 46 acres was usable. Mr. Taylor reported a

TOWNSHIP COMMITTEE MEETING
December 20, 2010

Work Session (Continued)

b). Discussion of Township Easements(cont'd)

number of individuals had gone out and walked the 46 acres. Mr. Taylor then deferred to Mr. Weidner as Mr. Taylor had not been present at the subcommittee meeting that evening. Mr. Weidner reported $\frac{3}{4}$ of the acreage is in the flood plain. Approximately 15 acres is open and there are spaces behind the homeowners' property ranging from 10 to 25 feet of woods. He stated it varies with the time of year as there are some of the easements with a lot of brambles and underbrush. Mr. Weidner stated the subcommittee realizes the easements should not be accessed all year round due to the vegetation at particular times during the year and made the decision the area should be left in its natural state and the Township should not install trails or paths at any of the locations. Mayor Stout added at one time a boy scout had wanted to make trails at the Unami Woods and the Township Committee made a decision not to install trails and just leave it as is.

Mayor Stout entertained remarks from the public; following is a summary of those comments:

Patricia Janovitz, 18 Washington Drive – Reported she was a member of the subcommittee and referenced the subcommittee's report. Ms. Janovitz referenced the members of the subcommittee on the subcommittees report, page 2: She expressed her displeasure with the membership criteria changing three (3) times since the issue was first addressed by the Township Committee at its June 14th meeting and subsequently at the July Parks Planning Commission meeting. Ms. Janovitz stated the membership is very different from what was originally discussed and that there were only two (2) members from Shadow Oaks on the subcommittee (one of whom was on the Environmental Commission and may have had other concerns). She also referenced page 4 of the subcommittee's report: "We believe the easements should be marked but it is not anticipated that the easements will be as well used as the West or Reinhardt properties." She raised her concern with that statement being in the report as once the easements are marked, there is no way anyone can say how many people use them and for what purpose. Ms. Janovitz reported there had been a discussion at the subcommittee meeting on how to get the word out to the public. She also referenced Mr. Weidner stating the 46 acres should be left pristine and not to develop trails however, the bottom of page 4 states: "The Township Committee should consider in the future a punch through, roughly 10-20 feet long and three (3) feet wide through overgrown brush connecting the grassy area on Township land with the large open area, roughly 10-15 acres. Ms. Janovitz stated an open area cannot be described as overgrown brush and a punch through are not leaving the area "pristine". Ms. Janovitz reported she had contacted the Rules and Regulations area of the New Jersey Department of Environmental Protection, Freshwater Wetlands Division and received an email back from them. She posed a question: "Regarding the New Jersey Freshwater Wetlands Protection Rules regarding the land owned by Cranbury Township, Block 20.06, Middlesex County. N.J.A.C. 7:7A-2.2c4 – "Hand trimming of trees or other vegetation" seems to be allowed in any freshwater wetlands. "Does that mean if the town trims by hand and does not actually cut down any trees they can cut paths or widen existing wildlife trails for human use without getting any type of permit from your Department?" His response was: "The clearing of vegetation within a freshwater wetlands transition area for purposes of path development is a regulated activity and requires fresh water wetlands permit # 17". Ms. Janovitz requested before anyone trims one twig in the area, the Township follow what the New Jersey Department of Environmental Protection rules. Mayor Stout inquired if Ms. Janovitz knows of any neighbors who have done any trimming on the property because when the Township Committee first discussed the issue, neighbors came forward and stated they were trimming the

TOWNSHIP COMMITTEE MEETING
December 20, 2010

Work Session (Continued)

b). Discussion of Township Easements(cont'd)

PUBLIC COMMENT (Continued)

area because the Township had let the area become overgrown. She stated there are 200 pages of rules and regulations, however, she did read that if the area has been treated as lawn a resident can mow it and from what she understands from various neighbors who are mowing the area, it was once a potato field that was subdivided once the land was sold. In addition the area was mud and they paid to have it seeded. Ms. Janovitz asked that she "Go on record" as saying the N.J. Dept. of Environmental Protection states the Township needs a permit to do any trimming or cutting and her inquiries to them were not as a part of her subcommittee duties. Mayor Stout stated Ms. Janovitz is correct that protected areas do require permits. The Township needs to understand what those boundaries area. Ms. Janovitz offered the 46 acres is listed in the D.E.P.'s records as preserved wetland with forest on it and her understanding is then you have to draw the boundaries, do the surveys and submit the proper paperwork to D.E.P. Mayor Stout stated it is the Township's duty on lands it owns not to undertake activities without following the proper rules.

Evan Janovitz, 18 Washington Drive: stated he is the individual who walked and saw the petition through. Mr. Janovitz stated he had attended 50% of the meetings. He stated marking the easements is not the right thing to do. It would be inviting the public to be in very private areas (children's play areas or the backs of resident's windows) and thus inviting unnecessary problems. Mayor Stout responded the 46 acres exists is common land and is for the enjoyment of all the public. Mr. Janovitz ended by stating placing the markings for the easements would be, "asking for trouble."

Jerry Hansen, 2 Washington Drive: He stated his home is directly affected. Mr. Hansen requested the Township Committee to balance the markings against the homeowners' privacy. He added nothing good can happen by inviting the public to the area and is opening up the area for crime. Mr. Hansen stated there seems to be a subcommittee who are not really listening to the residents of Shadow Oaks.

Mr. James Taylor stated he likes the idea of knowing where the five (5) easements are and the fact that it is a great place for young boys to learn how to fish and reported he had taken his son and daughter when they were young. Mr. Taylor stated he believes it will be a local recreational area for Shadow Oaks' residents and other residents in Shadow Oaks should know where the other four (4) easements are. Mr. Taylor stated it was originally planned that the easements should be marked with a white pine and now not all of the easement areas have the white pines left. He suggested planting white pines again but not marketing their location.

Mr. James Lalli raised his concern with hunters going after deer on the site. Mr. Taylor recommended placing "no hunting" signs at the area.

Ms. Kim Kenny, 16 Washington Drive, stated her home is one of the homes with an easement. Wildlife lives in her backyard and at one time she has seen 50 deer grazing on her property. In addition, she has seen two (2) fox; one (1) red and one (1) silver as well as approximately 40 wild turkeys. Ms. Kenny stated in her opinion it is not safe for children to be in the back of her property. She also raised her concern with burglaries taking place if the public are allowed to access

TOWNSHIP COMMITTEE MEETING
December 20, 2010

Work Session (Continued)

b). Discussion of Township Easements(cont'd)

PUBLIC COMMENT (Continued)

the easements. Ms. Kenny also stated it would be very difficult for both the first aid and fire to access the area should an emergency happen.

Ms. Beth Veghte, Board of Recreation Commissioners Chairperson and Cranbury resident, stated it has been a goal of the Township to have residents walk from one area to another. Ms. Veghte used as an example the Wynnewood area with the Unami Woods and how many residents use the area and stressed it is seldom used by strangers. She stated it is her belief those residents who wish to utilize the easements at Shadow Oaks should be allowed to do so.

Mr. William Schraudenbach, 19 Wynnewood Drive, stated he lives across the street from the Unami Woods area in Wynnewood and only a handful of people use it; it is very seldom used by strangers. He supported Mr. Taylor's idea of white pine as opposed to a "green dot".

Mr. Rick Burke, 14 Washington Drive, stated the easement area is a "non-destination area" and his easement is a drainage easement and the rest of his easement contains a lot of bramble. He stated security is an issue for the homeowners at Shadow Oaks.

Ms. Patricia Rogers, Washington Drive, urged the Township Committee to think about future Township Committees and take into consideration the neighbors' security concerns.

Ms. Patty Thomsson, 6 Washington Drive, reminded the Township Committee to be mindful that the Millstone Park gets used by many outsiders.

Mr. Sam Parker, 1 Parkview, stated living by Unami Woods has been wonderful and the woods are hardly used. He commended the Cranbury Police Department for its quick response if there is a strange car in the area.

Mr. Brendan Hansen, 2 Washington Drive, stated he lives in one of the homes affected by the easements and feels the public has a right to access public property and he does not believe people will suffer from instances of people using the stream as a base for burglaries. As for privacy people have a legal right to stand on the curb and watch a house for as long as they wish unless it becomes obtrusive. He also stated he has heard a lot of residents state that the Township Committee is not listening and by evidence of this meeting they are listening.

Ms. Regina Gallagher, 4 Washington Drive, (her property backs up to the Millstone River) stated the developer has created an awkward situation due to not being able to tell where an easement begins and ends and where the 46 acres starts and the homeowner's property starts. Access from Parkview is via private property and if the developer wanted access for the public, they should have had access so as to not intrude on homeowners. Ms. Gallagher stated she is not in favor of marking the easements.

Ms. Joanne Hansen, 2 Washington Drive, stated the area is totally overgrown and there is no access. The only way to access is via Old Trenton Road or by

Work Session (Continued)

TOWNSHIP COMMITTEE MEETING
December 20, 2010

b). Discussion of Township Easements(cont'd)

PUBLIC COMMENT (Continued)

going on her property or her neighbor's property. Her property has a "drainage/walkway easement. She also stated she believes marking the easements with white pines is a "silly idea".

Mr. Janovitiz spoke again stating, as he walked around with the petition, almost everyone he spoke with is against the marking of the easements.

Mr. James Lalli asked if the Township has had a survey done.

Mayor Stout responded not to his knowledge, however, once a survey is done, people have to respect rights. Mayor Stout also stated he does not like to be hasty in making decisions and recommended continuing the dialogue as this is a volatile situation that has touched a lot of nerves. Mayor Stout stated we need to work as a community and not vilify Mr. Weidner for what he has done and he is feeling the "dots" are not going over that well and added it does not make sense to try to resolve the issue this evening as there is still work to be done.

Township Committeeman-elect Mulligan stated since he will be working on this issue next year, the Township Committee needs to seriously consider the residents who signed the petition in opposition to the markings.

Mr. Cody urged the Township Committee to take seriously the petition it has received with 124 signatures from residents who are opposed to the marking of the easements. Mr. Cody urged the Township Committee to think about what it is trying to do and look at the issue further.

Mr. Stannard stated this issue all started going back at least to 2007 and the purpose was not to open up gateways to new lands. The purpose was to find passive recreation to new lands and the Township Committee was looking at the time at base ball fields and soccer fields. "Passive recreation started the ball rolling." Marketing was never the intention of the Township Committee for the 46 acres. Mr. Stannard stated he agrees with Mayor Stout and does not want his last meeting participating in something that is not right.

Mayor Stout indicated he has asked the Township Attorney to do some research to find the definition of a "walkway easement".

Mr. Cook stated the issue seems to be access to the 46 acres and he does not believe it is a destination, unlike Village Park. He suggested the Township maintain a map of all of its easements and if the residents are interested they will come to Town Hall for a copy. Mr. Cook stated he has an issue with marking the easements.

Mr. Taylor stated he is not sure asking the residents of Shadow Oaks to come out to another meeting when they attended a few subcommittee meetings as well as this evening's meeting is really fair. Mr. Taylor stated he is re-thinking the idea of marking the easements with white pines and suggested modifying the easement list which has been on the web site for some time and list the block and lot and state, "call the Township for address of easement." If someone is really interested in walking the area, they will call the Township.

TOWNSHIP COMMITTEE MEETING
December 20, 2010

Work Session (Continued)

b). Discussion of Township Easements(cont'd)

PUBLIC COMMENT (Continued)

Mr. Cook agreed with Mr. Taylor's remarks.

Mayor Stout stated he is not willing to take action this evening on the issue as there is too much uncertainty. Mayor Stout reminded Ms. Marabello at budget time, to remember if a survey needs to be done, the money has to be allocated to have one done.

Ms. Anna Drago, Park Place West and member of the subcommittee stated she, as a private citizen, is a little surprised at the negative remarks which have been made.

Mr. Jerry Hansen, commended Mr. Weidner and members of the subcommittee for their work.

Mr. Weidner thanked everyone.

Mr. Mark Berkowsky, Cranbury Housing Associates, stated for the newer members of the Township Committee, there is a current lease in place for an easement at Maplewood Avenue to Village Park and goes across C.H.A. property (given to C.H.A. for affordable housing purposes from a former church that never came to fruition). C.H.A. was asked by the Township to use the property for access to Village Park with the proviso that the Township provides an equal piece of property in town so they could develop an affordable property. Mr. Berkowsky wanted the Township Committee to know that "it is still out there." Mr. Berkowsky also stated, "there is no Paw-Paw tree on the property; there is a patch on the property however the big tree is not the Paw-Paw tree. Mr. Berkowsky reported the property does have a "walkway easement" on it.

Resolutions

Consent Agenda

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 12-10-208

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

TOWNSHIP COMMITTEE MEETING
December 20, 2010

Cranbury Township Resolution # R 12-10-209

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

FARMING SERVICES AGREEMENT

“UPDIKE” AGRICULTURAL LOT

THIS AGREEMENT, entered into this 20th day of December, 2010, by and between the **TOWNSHIP OF CRANBURY**, in the County of Middlesex, New Jersey, a body politic and corporate, having its offices at 23-A North Main Street, Cranbury, Ne Jersey 08512 (TOWNSHIP) and **DONALD C. PATTERSON**, Patterson Farms, Plainsboro Road, Cranbury, New Jersey 08512 (FARMER).

WITNESSETH

WHEREAS, the Township of Cranbury in the County of Middlesex, State of New Jersey recently accepted the dedication of a \pm 32.668-acre parcel designed as Block 21, Lot 4 on the Cranbury Township Tax Maps, located on Cranbury Neck Road and Old Trenton Road, adjacent to the Liedtke Drive residential development (“Updike” or “Updike Agricultural Lot”); and

WHEREAS, the Updike Agricultural Lot has historically been farmed; and

WHEREAS, the TOWNSHIP seeks to procure services that will enable the TOWNSHIP to maintain the property as productive agricultural land; and

WHEREAS, FARMER has successfully farmed the property in the past and wishes to continue farming it; and

WHEREAS, the TOWNSHIP wishes to retain FARMER to provide farming services to the TOWNSHIP for Updike; and

WHEREAS, the TOWNSHIP has adopted a resolution awarding a no-cost service contract without competitive bidding to FARMER and hiring FARMER to farm the above-referenced property;

NOW, THEREFORE, in consideration of the mutual promises set forth below, it is agreed between the TOWNSHIP and FARMER as follows:

1. The TOWNSHIP hereby retains the services of FARMER to farm the TOWNSHIP's real property referred to as the Updike Agricultural Lot, situated in the TOWNSHIP and designated as Block 21, Lot 4 on the TOWNSHIP's tax map.
2. When farming the property, FARMER shall employ all Best Management Practices recommended by the Rutgers Cooperative Extension.
3. The TOWNSHIP agrees to compensate FARMER for his services in kind by permitting FARMER to retain any profit from his crops, the value of which will not exceed \$21,000.00.
4. FARMER will provide to the TOWNSHIP a monthly statement indicating his profit, if any, from crops produced on the property.
5. This agreement will terminate on December 31, 2015.

TOWNSHIP COMMITTEE MEETING
December 20, 2010

Cranbury Township Resolution # R 12-10-209
(Continued)

6. The subject of this agreement is the previously farmed portions of the real property identified above only, and does not include the right to clear additional land or expand prior farming activities.
7. FARMER agrees, to the fullest extent permitted by law, to indemnify, defend and hold the TOWNSHIP harmless from damages and losses arising from the negligent acts, errors or omissions of FARMER, its employees, its agents and/or its subcontractors in the performance of services under this agreement. FARMER is not obligated to indemnify the TOWNSHIP for the TOWNSHIP's own negligence or the negligence of others.
8. FARMER shall maintain, during the life of this agreement, liability insurance that shall name the TOWNSHIP as additional insured. FARMER shall provide an insurance certificate to the TOWNSHIP to indicate such coverage. Said insurance shall be for a minimum of \$1,000,000.00 with a minimum of a combined single limit of \$1,000,000.00 for bodily injury and/or property damage per occurrence. Said certificate shall specifically incorporate by reference the indemnification, defense and hold harmless provisions of paragraph 7. The insurance certificate is subject to review and approval of the Township Attorney.
9. FARMER agrees to comply with the Affirmative Action Addendum, attached hereto as Exhibit A, and the N.J. Business Registration and Sales and Use Tax Addendum, attached hereto as Exhibit B.
10. This agreement was awarded to FARMER based on the merits and abilities of FARMER to provide the services described herein. It was not awarded through a "fair and open process" as that phrase is defined in N.J.S.A. 19:44A-20.7. As such, FARMER hereby certifies that FARMER (including persons and other business entities having an interest in FARMER.

Cranbury Township Resolution # R 12-10-210

WHEREAS, 4th Quarter 2010 property taxes for the property listed below, were overpaid due to an overpayment by Wells Fargo Real Estate Tax Service and the title company, and

WHEREAS, the homeowner is due a refund;

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

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
34	2	Michael & Gina Kervan	\$ 1,938.36

Cranbury Township Resolution # R 12-10-211

WHEREAS, 4th Quarter 2010 property taxes for the property listed below, were overpaid due to an overpayment by Hudson City Savings Bank and the title company; and

WHEREAS, the homeowner is due a refund;

TOWNSHIP COMMITTEE MEETING
December 20, 2010

Cranbury Township Resolution # 12-10-211
(Continued)

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

Block	Lot	Name	Amount
20.04	1	James & Kathleen Halliday	\$2,821.06

Cranbury Township Resolution # R 12-10-212

**RESOLUTION TO TRANSFER OVERPAYMENT FROM
2010 TO 2011**

WHEREAS, Tax Overpayments were made on the properties shown below for the Tax Year 2010; and

WHEREAS, a resolution is needed to transfer the overpaid amounts to 2011;

Block	Lot	Owner	Amount
18.07	28	Chi Ming Li	\$ 436.85
18.07	24	Joseph Caglianone	\$3,143.98
23	5	Liping Wang	\$2,172.08
32	22	Matthew Dailey	\$1,368.63

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey that the Tax Collector be authorized to transfer the overpayment as specified above.

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 12-10-213

TO REJECT BIDS FOR VILLAGE PARK IRRIGATION TEST WELL

WHEREAS, at the December 17, 2010 bid opening, two (2) bids were received for the Village Park Irrigation Test Well; and

WHEREAS, N.J.S.A. 40A:11-13-13.2 allows the governing body to reject all bids when the lowest bid substantially exceeds the contracting unit's appropriation for the goods and services; and

WHEREAS, the bid received exceeded the budgeted amount;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey, that the bid for the Village Park Irrigation Test Well is hereby rejected;

BE IT FURTHER RESOLVED, that the Township Engineer is hereby authorized to rebid the project;

TOWNSHIP COMMITTEE MEETING
December 20, 2010

Reports from Township Staff and Professionals

Ms. Marabello, Administrator/Director of Finance reported she had spoken with Mr. Jerry Thorne, Public Works Director in reference to the Reinhardt property and putting in a parking area. He estimates the cost will be approximately \$3,000 and will consult with the Environmental Commission. Ms. Marabello asked if the Township Committee still wished to name the parcel the "Reinhardt Forest Preserve". Mayor Stout made the motion which was seconded by Mr. Taylor:

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

Nays: (None

Ms. Marabello also reported she has been in touch with Mr. Kevin Van Hise concerning the Gristmiller's House and there are some issues and therefore it cannot be discussed this evening. Mr. Van Hise will work on the matter.

Reports from Township Boards and Commissions

Ms. Beth Veghte, Chairperson of the Board of Recreation Commissioners thanked Mayor Stout and Mr. Stannard for their years of service and stated it has been a pleasure working with them.

Public Comment

The Mayor opened the meeting to public questions and comment. There being no comments, the Mayor closed the public part of the meeting.

Mayor's Notes

Mayor Stout wished the Township Committee luck and stated he believes he is leaving the "house" in good fiscal order.

Township Committeeman-elect Mulligan thanked Mayor Stout and Mr. Stannard for their years of service.

On motion by Mr. Taylor, seconded by Mr. Cook and unanimously carried, the meeting adjourned at 9:50 p.m.

Kathleen R. Cunningham, Clerk