

TOWNSHIP COMMITTEE MEETING
JANUARY 14, 2008

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: Richard Stannard, Pari Stave, Wayne Wittman and Mayor David J. Stout. Mr. Panconi was absent. Also present were: Trishka Waterbury, Esquire, Attorney, Cathleen Marcelli, Engineer, Christine Smeltzer, Administrator and Kathleen R. Cunningham, Clerk. Mayor Stout led in the salute to the flag and Ms. Cunningham gave the following Open Public Meetings Act statement:

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

- (1) Posted on December 3, 2007 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, 2007.
- (3) Posted on the Township's web site and remains on file at Town Hall, 23-A North Main Street for public inspection; and
- (4) Sent to those individuals who have requested personal notice.

Reports and Communications

--Mayor

Mayor Stout reported the Township's 2008 Budget Process is well underway. The Township Committee had a very productive four-hour plus meeting on Saturday, January 12, 2008 and will have another meeting on Saturday, January 26th at 8:00 a.m. Mayor Stout encouraged the public to participate in these meetings, stating the Township Committee discusses the Township's money collectively. Mayor Stout thanked Christine Smeltzer, Administrator and Denise Marabello, Chief Financial Officer, for collecting all the data from the Township's Departments, Boards and Commissions and stated, as with every municipal budget before, the proposed 2008 Budget contains operating costs for which the Township exercises control as well as for items driven by State Statute for which the Township has no control. These Statutory costs include: the Library, which is driven by a statutory formula which raises the cost from year to year. Mayor Stout reported, like years before, the Library costs will rise again and could go up to \$610,000. He stated another item the Township does not have control over is pensions. Mayor Stout explained pensions are something the Township continues to play "catch up" with for the State's insufficient funding in the past. This year the Township will be doubling its contributions for pensions, relative to what it paid 2007 and, what was paid in 2007 was considerably higher than what the Township paid in 2006. Other non-Statutory costs include: vital services, such as Public Safety, utilities in the form of electric, natural gas and motor fuel and salary and health benefits for the Township's employees. Mayor Stout stated again, the Township Committee welcomes public participation in this transparent process as it looks at the function, the staffing and its operating hours for its municipal government. Mr. Stout indicated the Township had received a Draft Energy Audit Report for the Municipal Building and asked the Committee members to look at the report and stated at some point in the near future, the Township would have the vendor, Metro Energy, make a presentation to the Township. Mayor Stout stated the Township is hoping to receive grant monies to undertake some projects immediately that will save energy and operating costs. In addition, the Township is looking at ways to make short-term investments to make improvements that allow it to be more energy-efficient, reducing costs and buffering against future long-term rises in energy costs. Mayor Stout reported the Township Committee would be discussing at tonight's meeting, working with other elements of the Community as representatives (liaisons) to

TOWNSHIP COMMITTEE MEETING
JANUARY 14, 2008

Reports and Communications
--Mayor (Continued)

Boards and Commissions. Mayor Stout stated he hopes to have a Work Session item on the 28th to discuss the Township Committee's team goals for 2008.

Agenda Additions/Changes
There were no changes or additions.

Regular Committee Minutes for December 17, 2007
On motion by Ms. Stave, seconded by Mr. Stannard and unanimously carried, the Regular Committee minutes of December 17, 2007 were adopted.

Resolutions

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

Ayes:	
(Stannard	Absent: (Panconi
(Stave	Abstain: (None
(Stout	
(Wittman	

Nays: (None

Cranbury Township Resolution # R 01-08-015

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

WHEREAS, the Township of Cranbury in previous years has entered into a Shared Services Contract with the County of Middlesex for health services; and

WHEREAS, the term of the present contract expired; and

WHEREAS, the dollar amount for said services will be \$17,847.00 for the year 2008 and the base cost will be adjusted for 2009 by an amount equal to the actual increase or decrease in the cost to the County to provide these services; and

WHEREAS, the term of this contract shall be for two (2) years, commencing on January 1, 2008 and terminating on December 31, 2009, unless terminated earlier by either party;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee for the Township of Cranbury that the Mayor and Clerk are hereby authorized and directed to execute the attached agreement for said services.

Resolution

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

Ayes:	
(Stannard	Absent: (Panconi
(Stave	Abstain: (None
(Stout	
(Wittman	

TOWNSHIP COMMITTEE MEETING
JANUARY 14, 2008

Nays: (None)

Cranbury Township Resolution # R 01-08-016

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PAUL COWIE
& ASSOCIATES**

WHEREAS, the Township of Cranbury requires the services of a consultant to provide consulting services in conjunction with the Township's 2008-2013 Community Forestry Management Plan as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township wishes to enter into an agreement with Paul Cowie & Associates to provide said services; and

WHEREAS, Paul Cowie & Associates has offered to provide these services to the Township, for the not-to-exceed cost of \$ 4,500.00; and

WHEREAS, the Township's Chief Financial Officer has determined and certified in writing that the value of said consulting services will not exceed \$ 4,500.00; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, authorizes the award of a services contract without competitive bids when the cost of the contract does not exceed the applicable bid threshold; and

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds for this contract,

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

1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with Paul Cowie & Associates to provide consulting services for the not-to-exceed cost of \$ 4,500.00.
2. A copy of the Agreement will be made available for public inspection in the Township Clerk's office during regular business hours.
3. A copy of this Resolution, the Determination of Value, the Business Disclosure Certification, and the executed Agreement shall be placed on file in the Office of the Township Clerk.

Resolution

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

Ayes:

(Stannard
(Stave
(Stout
(Wittman

Absent: (Panconi
Abstain: (None

TOWNSHIP COMMITTEE MEETING
JANUARY 14, 2008

Nays: (None)

Cranbury Township Resolution # 01-08-017

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

WHEREAS, forests cover one third of the United States; and

WHEREAS, Cranbury Township is committed to maintaining a "Green Community through the care and preservation of trees; and

WHEREAS, the Township of Cranbury's Shade Tree Commission has applied for a grant from the Department of Environmental Protection, Division of Parks and Forestry ("Green Communities 2008") to assist the Township in the preparation of its Proposal: 2008-2013 Community Forestry Management Plan; and

WHEREAS, the amount of aid grant, if awarded will be \$3,000.00; and

WHEREAS, the Township of Cranbury must match the amount of the grant and the Chief Financial Officer has certified said funds to match the grant;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the Township Administrator is hereby authorized and directed to execute on behalf of the Township of Cranbury the Agreement attached hereto as Exhibit A or other substantially similar agreements and has been approved, and to undertake any and all acts necessary to effectuate the terms hereof.

Resolution

On motion offered by Ms. Stave, seconded by Mr. Wittman, the following resolution was adopted by vote:

Ayes:

(Stannard
(Stave
(Stout
(Wittman

Absent: (Panconi
Abstain: (None

Nays: (None)

Cranbury Township Resolution # R 01-08-018

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

WHEREAS, Middlesex County Department of Planning, Division of Solid Waste Management created a pilot residential consumer electronics drop-off partnership with Monroe Township and Sayreville; and

WHEREAS, the municipal partnership has proven to be very successful for both the municipalities and the County Consumer Electronics Program; and

WHEREAS, the Township of Cranbury has expressed an interest in participating in said Program for its residents; and

TOWNSHIP COMMITTEE MEETING
JANUARY 14, 2008

Cranbury Township Resolution # R 01-08-018
(Continued)

WHEREAS, Middlesex County Department of Planning, Division of Solid Waste Management has prepared and submitted a proposal stating the parameters of the Program, specifically, Item #6; "Municipalities must request pre-approval from the DSWM before each delivery to Hesstech and the request must be accompanied by the required log sheets as the County will not pay for any deliveries to Hesstech that have not been pre-approved";

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the Mayor and Clerk be directed to execute the Contract known as, "Municipal Partnership Program for Consumer Electronics", on behalf of Cranbury Township.

Resolution

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

Ayes:

(Stannard
(Stave
(Stout
(Wittman

Absent: (Panconi
Abstain: (None

Nays: (None

Cranbury Township Resolution # R-01-08-022

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

A RESOLUTION AUTHORIZING THE LEASE BY AUCTION OF THE FARMED PORTIONS OF
TOWNSHIP PROPERTY KNOWN AS THE "FROSZTEGA" PROPERTY

WHEREAS, since 2002, the Township of Cranbury ("Township"), the State of New Jersey's Green Acres Program and the Delaware and Raritan Greenway, Inc. have jointly owned certain property that is shown as Block 25, Lot 60.01 on the Cranbury Township Tax Map, consisting of approximately 31.25 acres of land and known as the "Frosztega Property"; and

WHEREAS, the pursuant to a Management Plan entered into by the joint owners in 2002, the Township is responsible for either farming or mowing the fields located on the property; and

WHEREAS, N.J.S.A. 40A:12-14 authorizes a municipal corporation to lease to any private person real property owned by said municipal corporation and not needed for a public use; and

WHEREAS, N.J.S.A. 40A:12-14 requires that a lease by a municipal corporation to a private person, except for a lease to a private person for a public purpose, be made to the highest bidder by open public bidding at auction.

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

1. Pursuant to the provisions of N.J.S.A. 40A:12-14(a), the Township through its Administrator or her designee, is hereby authorized and directed to conduct a public auction for the lease of the farmed portion of the Frosztega Farm (the "Leased Premises"), at such time and place as she and the Mayor may deem appropriate and necessary to effectuate the terms hereof.

TOWNSHIP COMMITTEE MEETING
JANUARY 14, 2008

Cranbury Township Resolution # R-01-08-022
(Continued)

2. The Township Administrator, or her designee, shall cause said auction to be duly advertised in accordance with the requirements of N.J.S.A. 40A:12-14. Said advertisement shall specify that the Township reserves the right to reject all bids where the highest bid is not accepted.

3. The following minimum terms and conditions shall apply to the above-referenced lease:

A. The term of the lease shall be for one (1) year, beginning on its date of execution.

B. The use of the Leased Premises during the term of the lease shall be restricted to the following:

i. During the term of this Lease, the Farmer will actively use the Leased Premises for agricultural purposes as defined by the New Jersey Farmland Assessment Act and as further set forth in the Right to Farm Act, N.J.S.A. 4:1C-1 et seq., and the Agricultural Retention and Development Act, N.J.S.A. 4:1C-11 et seq., except that any such agricultural activities will be further limited to the planting and harvesting of field and row crops only.

ii. When farming the Leased Premises, Farmer will comply with the Best Management Practices recommended by the Rutgers Cooperative Extension.

C. The lessee shall not assign the lease or sublet the Leased Premises or any portion thereof without the prior written permission of the Township.

4. Only pre-qualified bidders or their authorized representatives shall be permitted to participate in the public auction. To qualify, bidders must submit to the Township Clerk documentation that the Bidder possesses five (5) years of experience as a commercial farmer or in commercial farming activities as set forth in and consistent with the aforementioned Right to Farm Act and Agricultural Retention and Development Act. The deadline to submit said documentation shall be established by the Township Administrator in consultation with the Township Clerk and Township Attorney.

5. In the event the bidder will not attend the public auction in person and is authorizing an agent to bid on its behalf, the bidder must complete and submit an Authorization to Bid form with the above-referenced qualification documentation. Authorized bidders or their authorized representatives must attend the auction in person in order to bid, and only authorized bidders or their authorized representatives may participate in the auction.

6. The Township reserves the right to accept the highest bid or reject all bids should the highest bid be rejected.

7. Acceptance of the highest bid or rejection of all bids will be made by Township Committee no later than at its second regular meeting following the completion of the bidding. If Township Committee fails to act within said time, all bids shall be deemed to have been rejected.

TOWNSHIP COMMITTEE MEETING
JANUARY 14, 2008

Cranbury Township Resolution # R-01-08-022
(Continued)

8. If the high bid is accepted, the successful bidder will be required to enter into a Lease Agreement and tender half of the rental amount within ten (10) business days of the date on which he or she is notified of the award. A copy of said Lease Agreement will be included in the Bidding Materials.

9. The Mayor, Administrator, Clerk and other appropriate Township staff and officials are hereby authorized to undertake any and all acts and execute any and all documents as may be necessary and proper to effectuate the terms hereof.

Resolution

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

Ayes:

(Stannard
(Stave
(Stout

Absent: (Panconi
Abstain: (Wittman

Nays: (None

Cranbury Township Resolution # R 01-08-023

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

A RESOLUTION AUTHORIZING THE LEASE BY AUCTION OF THE FARMED PORTIONS OF
TOWNSHIP PROPERTY KNOWN AS THE "FISCHER" PROPERTY

WHEREAS, the Township of Cranbury ("Township") is the owner of certain property that is shown as Block 19, Lot 11 and Block 19, Lot 12 on the Cranbury Township Tax Map, consisting of approximately 53.60 acres of land and known as the "Fischer Farm"; and

WHEREAS, the Township acquired the Property for recreation and conservation purposes; and

WHEREAS, portions of the Property have been and continue to need to be farmed; and

WHEREAS, N.J.S.A. 40A:12-14 authorizes a municipal corporation to lease to any private person real property owned by said municipal corporation and not needed for a public use; and

WHEREAS, N.J.S.A. 40A:12-14 requires that a lease by a municipal corporation to a private person, except for a lease to a private person for a public purpose, be made to the highest bidder by open public bidding at auction.

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

1. Pursuant to the provisions of N.J.S.A. 40A:12-14(a), the Township through its Administrator or her designee, is hereby authorized and directed to conduct a public auction for the lease of the farmed portion of the Fischer Farm (the "Leased Premises"), at such time and place as she and the Mayor may deem appropriate and necessary to effectuate the terms hereof.

2. The Township Administrator, or her designee, shall cause said auction to be duly advertised in accordance with the requirements of N.J.S.A. 40A:12-14. Said advertisement shall

TOWNSHIP COMMITTEE MEETING
JANUARY 14, 2008

Cranbury Township Resolution # R 01-08-023
(Continued)

specify that the Township reserves the right to reject all bids where the highest bid is not accepted.

3. The following minimum terms and conditions shall apply to the above-referenced lease:

A. The term of the lease shall be for one (1) year, beginning its date of execution.

B. The use of the Leased Premises during the term of the lease shall be restricted to the following:

i. During the term of this Lease, the Farmer will actively use the Leased Premises for agricultural purposes as defined by the New Jersey Farmland Assessment Act and as further set forth in the Right to Farm Act, N.J.S.A. 4:1C-1 et seq., and the Agricultural Retention and Development Act, N.J.S.A. 4:1C-11 et seq., except that any such agricultural activities will be further limited to the planting and harvesting of field and row crops only.

ii. When farming the Leased Premises, Farmer will comply with the Best Management Practices recommended by the Rutgers Cooperative Extension.

C. The lessee shall not assign the lease or sublet the Leased Premises or any portion thereof without the prior written permission of the Township.

4. Only pre-qualified bidders or their authorized representatives will be permitted to participate in the public auction. To qualify, bidders must submit to the Township Clerk documentation that the Bidder possesses five (5) years of experience as a commercial farmer or in commercial farming activities as set forth in and consistent with the aforementioned Right to Farm Act and Agricultural Retention and Development Act. The deadline to submit said documentation shall be established by the Township Administrator in consultation with the Township Clerk and Township Attorney.

5. In the event the bidder will not attend the public auction in person and is authorizing an agent to bid on its behalf, the bidder must complete and submit an "Authorization to Bid" form with the above-referenced qualification documentation. Authorized bidders or their authorized representatives must attend the auction in person in order to bid, and only authorized bidders or their authorized representatives may participate in the auction.

6. The Township reserves the right to accept the highest bid or reject all bids should the highest bid be rejected.

7. Acceptance of the highest bid or rejection of all bids will be made by Township Committee no later than at its second regular meeting following the completion of the bidding. If Township Committee fails to act within said time, all bids shall be deemed to have been rejected.

8. If the high bid is accepted, the successful bidder will be required to enter into a Lease Agreement and tender half of the rental amount within ten (10) business days of the date on which he or she is notified of the award. A copy of said Lease Agreement will be included in the Bidding Materials.

TOWNSHIP COMMITTEE MEETING
JANUARY 14, 2008

Cranbury Township Resolution # R 01-08-023
(Continued)

9. The Mayor, Administrator, Clerk and other appropriate Township staff and officials are hereby authorized to undertake any and all acts and execute any and all documents as may be necessary and proper to effectuate the terms hereof.

Resolutions

Consent

On motion offered by Ms. Stave, seconded by Mr. Wittman, the following Consent Agenda Resolutions were adopted by vote:

Ayes:	Abstain: (None
(Stannard	Absent: (Panconi
(Stave	
(Stout	
(Wittman	

Nays: (None

Cranbury Township Resolution # R 01-08-019

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 01-08-020

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE REDUCTION OF PERFORMANCE GUARANTEE FOR
Jen-Dar Realty

WHEREAS, by letter dated December 5, 2007, Jen-Dar has requested the reduction of their performance guarantee previously posted with the Township in accordance with Planning Board approval and

WHEREAS, the Township Engineer has, in a letter dated December 14, 2007 (attached hereto as "Exhibit A") recommended that the performance guarantee be reduced and the amount that shall be released is as follows:

Performance Bond	\$ 149,979.10
Cash Deposit	\$ 16,664.31

WHEREAS, the amount that shall be retained until all bonded items are complete as follows:

Performance Bond	\$ 295,490.66
Cash Deposit	\$ 32,832.34

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

1. It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".

TOWNSHIP COMMITTEE MEETING
JANUARY 14, 2008

Cranbury Township Resolution # R 01-08-020
(Continued)

2. It hereby authorizes the reduction of performance guarantees set forth in the Township Engineer's letter referenced above.
3. The Township hereby accepts the public improvements, if any so designated pursuant to the Planning Board's approval.

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

- (a) Township Engineer
- (b) Township Chief Financial Officer
- (c) Jen-Dar Realty
- (d) Township Attorney

Ordinances
First Reading

Cranbury Township Ordinance # 01-08-01

An Ordinance entitled, "CRANBURY TOWNSHIP ORDINANCE 01-08-01 –AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, CONSENTING TO THE EXTENSION OF THE "NO PASSING ZONE" ON MIDDLESEX COUNTY ROUTE 615 /CRANBURY NECK ROAD (FROM SYMMES COURT TO WYNNEWOOD DRIVE)", was introduced for first reading. Mayor Stout explained the Ordinance follows the Township Resolution which was adopted by the governing body last year and has received correspondence from the County through the NJDOT consenting to moving forward with the re-striping to make the section from Symmes Court to Wynnewood Drive a "No Passing Zone". On motion by Ms. Stave, seconded by Mr. Wittman, the Ordinance was passed on first reading by vote:

Ayes:	Abstain: (None
(Stannard	Absent: (Panconi
(Stave	
(Stout	
(Wittman	

Nays: (None

Public Hearing: January 28, 2008

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

WHEREAS, Middlesex County Route 615, also know as Cranbury Neck Road, extends through the Township of Cranbury from the Township's border with Plainsboro Township, Middlesex County, in an easterly direction to its intersection with South Main Street; and

WHEREAS, there is presently a "no passing zone" on Cranbury Neck Road between South Main Street and Symmes Court; and

WHEREAS, the Township adopted Resolution # R-10-07-071 on October 22, 2007, requesting that the County of Middlesex extend the "no passing zone" on County Route 615 from

TOWNSHIP COMMITTEE MEETING
JANUARY 14, 2008

Cranbury Township Ordinance # 01-08-01
(Continued)

Symmes Court to Wynnwood Drive, to provide additional protection for the Township's residents, especially children that cross Cranbury Neck Road; and

WHEREAS, the County of Middlesex and the New Jersey Department of Transportation have indicated that they agree to extend the "no passing zone" as requested by the Township;

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

1. The Township hereby consents to the creation of a "no passing zone" on Cranbury Neck Road (a/k/a/ County Route 615) for both the eastbound and westbound lanes from Symmes Court to Wynnwood Drive, and the proper placement of pavement markings to depict said "no passing zone".
2. The Township Clerk shall forward a certified copy of this ordinance to the County of Middlesex Department of Engineering and to the New Jersey Department of Transportation.
3. If any part of this Ordinance is for any reason held to be invalid, such decisions shall not affect the validity of the remaining portion of the Ordinance.
4. This Ordinance shall take effect upon passage and publication, as required by law, and upon the approval of the Commissioner of the Department of Transportation.

Ordinance
First Reading

Cranbury Township Ordinance # 01-08-02

An Ordinance entitled, "CRANBURY TOWNSHIP ORDINANCE # 01-08-02, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, MIDDLESEX COUNTY, NEW JERSEY, AMENDING CHAPTER 5 OF THE CODE OF THE TOWNSHIP OF CRANBURY, "POLICE DEPARTMENT," TO CREATE THE OFFICE OF EMERGENCY MANAGEMENT AND APPOINT AN EMERGENCY MANAGEMENT COORDINATOR", was introduced for first reading. On motion by Mr. Wittman, seconded by Ms. Stave, the Ordinance was passed on first reading by vote:

Ayes:	Abstain: (None
(Stannard	Absent: (Panconi
(Stave	
(Stout	
(Wittman	

Nays: (None

Public Hearing: January 28, 2008

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

WHEREAS, the Chief of the Township of Cranbury's Department of Police has been serving as the coordinator of the Township's emergency management procedures, including the oversight of the Township's Community Emergency Response Team (C.E.R.T.); and

TOWNSHIP COMMITTEE MEETING
JANUARY 14, 2008

Cranbury Township Ordinance # 01-08-02
(Continued)

WHEREAS, by creating an Office of Emergency Management, the Township can ensure that emergency response efforts are managed in one central location; and

WHEREAS, it is necessary to ensure that there be a designated individual to serve as Emergency Management Coordinator with regard to the Township's emergency responders; and

WHEREAS, it is in the best interest of the citizens of the Township to have the Chief of the Department of Police serve as the Township's Emergency Management Coordinator;

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

Section 1. Creation of Office of Emergency Management. Chapter 5 of the Code of the Township of Cranbury ("Code"), is hereby amended to create the Office of Emergency Services by adding new Section 5-11, entitled "Office of Emergency Management," which shall read as follows:

§ 5-11 Office of Emergency Management.

- A. Creation of Office. Within the Department of Police there shall be an Office of Emergency Management, which will be supervised by the Emergency Management Coordinator.
- B. Emergency Management Coordinator. The Emergency Management Coordinator shall have such powers and duties as are established by the Department of Police. The Emergency Management Coordinator shall be the Chief of Police, who shall receive no additional compensation for said title. In the event that the Chief of Police is not a resident of Middlesex County, then the next highest-ranking officer in the Department of Police shall serve as the Emergency Management Coordinator.
- C. Community and Emergency Response Team (C.E.R.T.). General Orders issued by the Chief of Police, as same may be amended and supplemented from time to time, shall establish the duties and responsibilities of C.E.R.T. members. When performing said duties and responsibilities, the C.E.R.T. members shall be under the supervision, and respond to the direction of, the Emergency Management Coordinator.

Section 2. If any part of this Ordinance is for any reason held to be invalid, such decisions shall not affect the validity of the remaining portion of the Ordinance.

Section 3. This Ordinance shall take effect upon adoption and publication, as required by law.

Reports from Township Staff and Professionals
Ms. Waterbury, Township Attorney

Ms. Waterbury, Township Attorney, reported the Appellate Division, granted COAH's request for an extension to formerly adopt its rules. The new deadline is June 2, 2008. A series of four (4) public hearings have been scheduled and a comment period is in place for municipalities to respond. Ms. Waterbury indicated the League of Municipalities has recommended municipalities send in their comments concerning how the regulations are affecting their municipalities specifically. Ms. Waterbury added, under the new rules, COAH is going back to something more similar to what they had for the Second Round whereby there is sort an absolute number. They have come out with target numbers for each municipality, based on growth projections for new

TOWNSHIP COMMITTEE MEETING
JANUARY 14, 2008

Reports from Township Staff and Professionals
Ms. Waterbury and Mr. Wittman – COAH (Continued)

homes to be built as well as employment figures. Ms. Waterbury explained municipalities have to plan for that number and cautioned the Township Committee concerning the projections; COAH projections for the Township actually mirror Cranbury Township's own projections, however, that number is not definite. The ultimate obligation will be based on actual statistics—how much space is actually being built in the Township and it may be higher than COAH is projecting. Mr. Wittman reported he, Mr. Berkowsky, representing Cranbury Housing Associates and Christine Smeltzer, Township Administrator, had met earlier in the evening to discuss some of the points Ms. Waterbury had stated. Mr. Wittman indicated they are planning to have a subcommittee meeting on the 28th before the Township Committee meeting and have Mary Beth Lonergan, COAH Consultant, attend the meeting. Mr. Wittman indicated the subcommittee will discuss the comments the Township could and will be making in response to the new COAH rules. Mr. Wittman added, he believes Cranbury Township had been very pro-active in meeting its COAH obligations in the past and has been a model for the Program. Mayor Stout asked Ms. Waterbury the deadline for submitting the Township's comments. Ms. Waterbury stated she did not know, however, would check on it and let the Township Committee know.

Reports from Township Staff and Professionals
Ms. Cathleen Marcelli, Township Engineer

Ms. Marcelli, Township Engineer, reported in December she had met with representatives from KHov, Mel Lehr and John Battles to review the on-going issues at The Four Seasons at Cranbury Development. Ms. Marcelli reported the repaving had been completed. Also discussed was the process moving forward. Ms. Marcelli indicated there are still lingering complaints concerning the alley-ways and stated her staff is monitoring the problem. KHov had re-graded the area. Ms. Marcelli, however, stated she is not sure it had been successful.

Ms. Marcelli also reported she had been reviewing some of the sewer charges from South Brunswick Township to Cranbury Township for the 2006 sewer bills. South Brunswick had indicated Cranbury Township owes \$190,000. Ms. Marcelli explained at the end of the year the charges are reviewed and she and Ms. Smeltzer had been meeting and reviewing those charges. She indicated she and Ms. Smeltzer had several issues with the billing as South Brunswick had not provided the Township with backup. Ms. Marcelli reported there are two (2) separate costs the Township is required to pay; variable and fixed. The fixed cost is based upon the original Agreement from 2001 whereby the Township reserved a certain capacity in their system. Based upon that, any time anything is done in any of the elements in the system, i.e. pump stations in Cranbury that are affected in that flow, or interceptors, it is passed along as charges. The variable rates are based upon the flow Cranbury Township transmits; as the Township's flow increases the percentage increases. The Township's cost would decrease if South Brunswick's increases a lot. Ms. Marcelli recommended in the future the Township may want to enter into a new Inter-local Agreement with South Brunswick, which they have asked the Township to do. Ms. Marcelli stated in a lot of ways it would make sense as it would lock the Township in for a certain amount. She also indicated in the present Inter-local Agreement there is a requirement the subcommittee meet every February. In the past that had not been taking place. Mayor Stout raised a question as to when South Brunswick Township closes its books, noting it is 2008 and they are just now addressing the 2006 billing. Ms. Smeltzer responded she would inquire. Mr. Wittman stated the problem has existed (every since he first served on the Township Committee in 1994) with South Brunswick not agreeing to set figure for the Township to pay. They could never settle on a fixed amount. Ms. Marcelli recommended South Brunswick develop a fixed-rate chart. Mayor Stout recommended the subcommittee be re-activated and Ms. Smeltzer head the subcommittee. Ms. Smeltzer stated South Brunswick has now put one of their Chief Financial Officers in charge of the billing; it appears he is only working on this particular issue and nothing

TOWNSHIP COMMITTEE MEETING
JANUARY 14, 2008

Reports from Township Staff and Professionals (Continued)
Ms. Cathleen Marcelli, Township Engineer (cont'd)

else. Ms. Marcelli added, she had found \$50,000 the Township should not have been billed for. Mayor Stout requested the Township be billed on a more frequent basis. Ms. Marcelli added South Brunswick seemed to be more organized than in years past, however, recommended going back and looking at the original 2001 Agreement and what the obligations are for both parties.

Ms. Marcelli also reported the NJDOT has granted the Township \$180,000 for the improvements to Wynnewood and Woodview Drives. She stated the work should begin in the Fall of 2008.

Ms. Marcelli also reported on the Liberty Way North project stating the base asphalt, curb and sub-sewer have been completed. The Contractor is basically in a "hold" pattern right now, due to almost all of the asphalt plants being shut down. The Contractor will come back in the Spring, when the prices drop or the asphalt plants re-open, whichever is sooner, to complete the work. Ms. Marcelli indicated the important thing to note is that Liberty Way will be completed soon and open to traffic from South River Road to Half Acre Road and from Half Acre Road to Station Road except for the Bridge. All of the portions of Liberty Way that the Township can complete and that the developers have completed are done. Ms. Marcelli stated she believes the connection between South River Road and Half Acre Road provides a great conduit for traffic that is now directed on South River Road and driving behind the BP Station (formerly Amoco) and heading East. Mr. Feranda, Traffic Consultant, has been working with the State D.O.T. and County D.O.T. on the Bridge design project and reported it is moving forward. Mr. Stannard asked if the State or County had given the Township any idea on the cost of the Bridge project lately. Ms. Marcelli responded to date she did not have an updated cost.

Ms. Marcelli stated the Township's obligations for the State's mandated storm water regulations have all been met (completed as of today).

Ms. Marcelli also reported the Contracts had been executed for the work to be done on the Babe Ruth Baseball Field and a pre-con meeting will be set up with the Contractor, a representative from the Township and a representative from Freehold Soil to discuss the schedule and other items. Ms. Marcelli stated she had discussions with Jerry Thorne, Public Works Director, regarding improving the Village Green area, i.e. how to make the area more visually attractive and meeting the goals of actually having a Village Green. Ms. Marcelli indicated she had spoken with Mr. Thorne specifically in reference to seeding the area for grass. Ms. Marcelli reported Mr. Thorne indicated if the project should be beyond his capability or time limit, he would look at other means to get the job done.

Ms. Marcelli reported she had received a telephone call before the holidays from the County Engineer, expressing his concern that Cranbury Township had not been informed of the North Jersey Transportation Planning Authority's proposed 500 truck stop rest area at the Molly Pitcher Rest Area, Exit 8A of the New Jersey Turnpike. Ms. Marcelli indicated the NJTPA had gone public in December with their report of a study they had conducted and concluded there were issues in the State of New Jersey for the parking of tractor trailers. The Study came up with three (3) recommended sites for the rest areas: one adjacent to the Molly Pitcher Rest Area (presently known as the "(Alfieri site)"). They are looking at approximately 50 acres at the site for 500 trucks. Ms. Marcelli recommended the Township "weigh in" on the issue and recommended a letter be sent from the Mayor to the Executive Director of the NJTPA expressing the Township's concerns, etc. Ms. Marcelli offered to draft a letter for the Mayor and urged any members who wanted to weigh in on it to do so. Ms. Marcelli also recommended the NJTPA make a presentation to the Township either at a public meeting or at least at a subcommittee meeting. Mr. Feranda, Traffic Consultant, had attended the December meeting and observed NJTPA's plan is to hand the

TOWNSHIP COMMITTEE MEETING
JANUARY 14, 2008

Reports from Township Staff and Professionals (Continued)
Ms. Cathleen Marcelli, Township Engineer (cont'd)

project over to the Turnpike Authority, who could then “piggyback” this into its Turnpike Widening Project. Mr. Feranda also stated the NJTPA had mentioned using Township roadways as well. Mr. Wittman added at one time the State Police Barracks, located on the Turnpike, had been a proposed site for a truck rest area. Mr. Wittman indicated the Township had weighed in very heavily at that time in opposition to the proposal and recommended going back and looking at the files from then. Mr. Wittman suggested letting Monroe Township know about the truck stop rest area plan. Ms. Marcelli stated she had already called Mr. Alfieri’s Attorney, Frank Petrino, just to let him know of NJPTA’s plans. Mayor Stout requested Ms. Smeltzer contact the Administrator in Monroe Township. Ms. Marcelli also reported last Wednesday, Christine Smeltzer, Andrew Feranda and herself had met with representatives from the Turnpike Authority, the Authority’s Engineer and their Attorney at their request. The purpose of the meeting was to give the Township an update on the Turnpike Widening Project. The project will affect a total of 11 municipalities. They are proposing to add one lane in each direction. All of the overpasses will be affected and Cranbury has a total of five (5)---Brickyard Road, Hightstown-Cranbury Station Road, Half Acre Road, Station Road and Prospect Plains Road. Of those five (5) roads two (2) are County roads. They discussed the width section of the new overpasses. Ms. Marcelli added, there will be no cost to the Township at all. The representatives of the Turnpike Authority indicated nothing was definite as far as the width of the roadways and would be looking to the Township to make its recommendations. Ms. Marcelli stated she had discussed the new church which will be built on Brickyard Road and the anticipated amount of traffic which will occur as a result. Ms. Marcelli offered to work with Andrew Feranda, Traffic Engineer, to come up with a reasonable plan. Ms. Marcelli stated she had offered to give the Authority up-to-date aerials, as-built plans for developments and sewer maps (the Turnpike Authority will be required to comply with the State’s storm water regulations) as the ones they had were very outdated.

Reports from Township Boards and Commissions
There were no reports.

Work Session

a. Monthly Report by Police Chief Jay Hansen

Police Chief Jay Hansen presented the Police Department's monthly report for December. Chief Hansen reported the biggest expenditure for overtime had been for shift coverage, followed closely by shift extensions and training. In large part, the overtime had been due to the year-end rush to use vacation time. However, he stated it had not been as bad as he thought it would be. The year had very little snow, saving the Department a lot of money. This was offset however by injuries and illnesses in mid-year. Chief Hansen reported the Police Department had stayed within the budgetary amount for the year in overtime expenses. Chief Hansen reported there had been 106 summonses issued during the month of December. 33 in the Village area, 66 along Route 130 corridor and 10 East of Route 130. Chief Hansen stated the numbers were not as high as he would have liked, however, under the circumstances they were pretty good. Bike patrol had no activity due to temperatures and lack of manpower. Chief Hansen reported the Traffic Safety Unit is in full operation and is already providing impressive results which should be evident at next month’s report. Motor Vehicle statistics should increase tremendously, barring any illnesses, etc. Radar had been run on 97 occasions: Cranbury Neck Road – 12, Dey Road-8, Maplewood-6, North Main-17, Old Trenton Road-5, Plainsboro Road-22, Prospect Plains Road-1, Route 130-6, South Main Street-9, South River Road-5, Station Road-6 and one (1) undisclosed location. The radar sign was deployed on 15 occasions: Old Cranbury Road-2, Old Trenton Road-4, South Main Street-3, Station Road-5 and one (1) undisclosed area. The “decoy car” had been out on seventeen occasions; in some cases for a two or three-day period: Cranbury Neck Road-2, Dey Road-1, Maplewood Avenue-3, North Main Street- 4, Old Trenton Road-2, Plainsboro Road-2, Prospect Street-2 and South Main Street-1. Mr. Stannard asked in

TOWNSHIP COMMITTEE MEETING
JANUARY 14, 2008

Work Session (Continued)

b. Monthly Report by Police Chief Jay Hansen (cont'd)

reference to the radar, were the officers out full-time. Chief Hansen responded they were out performing radar for a full shift. Mr. Stannard asked the criteria for "getting a ticket". Chief Hansen indicated anything above 36 M.P.H.; however, a lot depends on weather and/or road conditions. Ms. Stave asked that the Police show more presence throughout the Township. Chief Hansen indicated the patrols are interacting with the residents and out on the roads. Mayor Stout commended the Department for doing a great job on traffic safety asked for a report at some time on safety within the Township (crime, etc.).

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Mr. Richard Kallan, Wynnewood Drive, requested the Police Department enforce the lack of motorists not stopping for pedestrians crossing in the crosswalks. Mr. John Ritter, Plainsboro Road, asked the following questions concerning COAH: Mr. Ritter stated he believed the Court recently indicated an Regional Contribution Agreements ("RCAs") number of 25 was ok, however, the Legislature could eliminate Regional Contribution Agreements altogether and was wondering if there was a movement afoot to eliminate RCAs and if anyone had a sense of where that issue stands. Mr. Ritter stated, with respect to RCAs, the cost of RCAs seemed to go up as a result of the Court decision; however, they state that prior Agreements that had been approved by both municipalities would be grandfathered at the original costs. Mr. Ritter asked if the Township had gotten far enough with its Agreement for that to work to the Township's advantage. Ms. Waterbury, Township Attorney, clarified the Courts had reduced the senior component of RCAs. She explained the change which was a result of the new Court's rules is a municipality could satisfy up to 25% of its COAH obligation for senior housing (previously a municipality could satisfy up to 50% of its senior housing obligation). Ms. Waterbury reported there is presently, however, legislation proposed which would abolish RCAs and the "word on the street" is that the bill will not have "legs" until the State sets up a State-wide fund of money that could go to the receiving municipalities (they are currently getting the monies from the sending municipalities). Until that happens, a lot of the urban Mayors will continue to oppose the pending legislation. In reference to the Agreement question—Cranbury's Agreements were signed prior to the new rules. Under the new rules, the Agreement should be "grandfathered" at the \$35,000 per unit amount for each RCA. Mr. Ritter asked what would happen if RCAs were eliminated. Ms. Waterbury responded she did not know if under the current legislation they would be grandfathered or not. Mr. Ritter asked if the proposed Turnpike truck stop were to be built, what the COAH impact would be versus what otherwise might occur. Ms. Waterbury stated it could generate an obligation, depending on the nature of what would be built. Mr. Ritter stated he had attended the public hearing the Turnpike Authority had held on the widening project recently. A trucker spoke and indicated truckers were unhappy with the backup when exiting 8A and stated the trucker's would tend to go South to Exit 7 instead. Mr. Ritter asked Ms. Marcelli, Engineer, if she could validate if there is an issue with backup at Exit 8A and stated with increasing tolls, truckers would tend to by-pass the Turnpike and use the local roads. Mr. Ritter asked what the impact on the local roads would be. Ms. Marcelli responded she had not been aware of any backup issue at Exit 8A; however, it would be more of a South Brunswick and Turnpike Authority issue. Mr. Ritter suggested in discussions with the Turnpike the Township express its concerns with truck traffic utilizing Township roads. Ms. Marcelli added one of items she had taken away from her meeting on the Turnpike Widening Project had been the Turnpike's desire to eliminate the railroad tracks within the Township. There being no further comments, the Mayor closed the public part of the meeting.

TOWNSHIP COMMITTEE MEETING
JANUARY 14, 2008

Work Session (Continued)

b. Discussion of 2008 Liaison Assignments by Township Committee

The Township Committee discussed the 2008 Township Committee members' liaison assignments. Mr. Wittman requested the Fire Official be moved to Mr. Panconi, who is the liaison to the Fire Company. The Township Committee unanimously agreed and the Clerk made the change. Ms. Stave requested under her liaisons, "Friends of the Library" be removed. The Clerk made the change.

Resolution

On motion offered by Ms. Stave, seconded by Mr. Wittman, the following resolution was adopted by vote:

Ayes:	Abstain: (None
(Stannard	Absent: (Panconi
(Stave	
(Stout	
(Wittman	

Nays: (None

Cranbury Township Resolution # R 01-08-021

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:

--- Litigation; Discussion of the status of real property tax appeal 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 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: January 14, 2008

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

Ayes:	Abstain: (None
(Stannard	Absent: (Panconi
(Stave	
(Stout	
(Wittman	

Nays: (None

TOWNSHIP COMMITTEE MEETING
JANUARY 14, 2008

Mayor's Notes

Mayor Stout re-appointed Dr. Mortimer Shakun to the Board of Health, with a term expiring on 12/31/10.

On motion by Ms. Stave, seconded by Mr. Stannard and unanimously carried, the meeting adjourned at 8:47 p.m.

Kathleen R. Cunningham, Clerk