

TOWNSHIP COMMITTEE MEETING
JULY 9, 2007

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 was: Township Committee members: Thomas F. Panconi, Jr., Richard Stannard, Pari Stave, Wayne Wittman and Mayor David J. Stout. Also present was: Trishka Waterbury, Esquire, Attorney, Cathleen Marcelli, Engineer, Jack Coughlin Interim 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 1, 2006 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 1, 2006.
- (3) Was filed on December 1, 2006 with a Deputy Municipal Clerk at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey and remains on file for public inspection, and
- (4) Sent to those individuals who have requested personal notice.

Reports and Communications

--Mayor

Mayor Stout reported even though the fire works had to be postponed due to the weather on July 5th, they had taken place on Friday, July 6th and were a great success. Mayor Stout thanked Mr. Thorne, Public Works Forman and his staff for a great job. Mayor Stout reported the County had struck the tax rate for the Township for 2007 at a rate of \$1.47 per \$100 of assessed value and explained the amount represents approximately an overall increase of 17% from last year's rate. Of the new rate, 0.255 is the County Tax Rate, 0.030 is the County Open Space Tax Rate, 0.350 is the Municipal Budget Tax Rate, 0.021 is the Municipal Open Space Tax and 0.814 is the District School Tax Rate. Mayor Stout reported on Thursday, June 28th, he had attended a work shop, sponsored by the New Jersey D.E.P. regarding proposed changes to the New Jersey Water Quality Rules in reference to regulations of wastewater treatment within municipalities. If the law passes, it would require municipalities to come up with a wastewater management plan. Mayor Stout also reported the Alternative/Sustainability Energy Work Group had received a proposal to conduct an energy audit of Township buildings. Both vendors had recommended not including the Cranbury School as it uses the most energy. The Work Group recommended awarding the contract to the lowest bidder, Metro Energy Solutions in the amount of \$. Mayor Stout asked Ms. Waterbury, Township Attorney, to prepare a Resolution awarding the contract for the next meeting on July 23, 2007.

--Members of Committee

Mr. Panconi reported he had conducted his monthly meeting with the Fire Company on Sunday, July 8, 2007. For June they had responded to 26 calls: 15 calls between 6:00 a.m. and 6:00 p.m., 11 calls between 6:00 p.m. and 6:00 a.m. and eight (8) calls were between 7:00 a.m. and 3:00 p.m. of which the Township's Public Work's employee, a member of the Fire Company, had responded to five (5) of the seven (7) calls. There were two (2) false alarms. One (1) call was again at Preferred Realty, who are under the jurisdiction of Monroe Township. Mr. Panconi asked Mr. Coughlin if he had an opportunity to speak to Monroe Township about the issue. Mr. Coughlin indicated he had not and would do so. Mr. Panconi

--Members of Committee (Continued)

Mr. Panconi (cont'd)

also reported the Fire Company had a drill at George's garage on Sunday on vehicle extractions. Mr. Panconi also reported Chief DiStasi was able to come to an Agreement, as long as the Township Committee is in agreement, to donate the 1976 Pumper Truck to a fire company (St. Tammany Fire District 9), in Bush Louisiana. The new truck is presently in Piscataway, New Jersey being outfitted and should be in Cranbury by the end of July. Mr. Panconi indicated the title for this truck is not at the Township and asked that an inventory be made of all Township vehicles and match them against titles that the Clerk has in her office. Ms. Waterbury, Township Attorney, stated she would let the Township Committee members know by what process they can transfer the title to the fire truck and prepare any necessary documents for the next meeting on July 23rd.

Agenda Additions/Changes

Ms. Cunningham, Clerk, announced there was one addition—Cranbury Township Resolution # R 07-07-128, a Resolution authorizing the Municipal Alliance to apply for a matching grant with Middlesex County as it has every year.

Ordinance

Second Reading

Cranbury Township Ordinance # 07-07-09

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 07-07-09, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, AMENDING THE METHOD FOR CALCULATING SEWER USAGE RATES AND INCREASING CONNECTION FEES", 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. Stannard, seconded by Mr. Panconi, the Ordinance was adopted by a vote:

Ayes: (Panconi
(Stannard
(Stave
(Stout
(Wittman

Abstain: (None
Absent: (None

Nays: (None

Resolutions

Consent Agenda

Mayor Stout explained the Resolutions on the Consent Agenda stating Resolution # 122 was for the payment of bills, 123 and 124 were for two grants, one for the re-seeding grant for the West property and the other for a drunk driving enforcement grant, 125 for the release of planning escrow, 126 for a item discussed by the Township Committee back in May to allow the Cranbury Digital Club to conduct hot air balloon festival August 11-12, 2007. Ms. Waterbury, Township Attorney, indicated her office had reviewed all the paperwork, including the insurance papers and everything appeared to be in order. # 127 was for the award of a contract for the Liberty Way (North) road construction project and lastly, # 128, as indicated by Ms. Cunningham, is authorizing the Human Services Board to apply for a grant.

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

Ayes: (Panconi
(Stannard

Abstain: (None
Absent: (None

(Stave
(Stout
(Wittman

Nays: (None

Cranbury Township Resolution # R 07-07-122

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 # 07-07-123

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE MUNICIPAL BUDGET OF THE TOWNSHIP OF CRANBURY PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

Section 1

NOW, THEREFORE, BE IT RESOLVED that the Township Committee hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2007 in the sum of \$2,401.00 which item is now available as a revenue from the U.S. Department of Agriculture pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$2,401.00 is hereby appropriated under the caption Natural Resources Conservation Service (NCSR)- Team Habitat.

Section 3

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

- (a) Director of the Division of Local Government Services
- (b) Township Auditor
- (c) Township Chief Financial Officer

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, NJ, hereby certify that the above is a true of a Resolution adopted by the Township Committee of the Township of Cranbury at a regular meeting held on July 9, 2007.

Kathleen R Cunningham, Clerk

Cranbury Township Resolution # 07-07-124

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE MUNICIPAL BUDGET OF THE TOWNSHIP OF CRANBURY PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

Section 1

NOW, THEREFORE, BE IT RESOLVED that the Township Committee hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2007 in the sum of \$3,368.39 which item is now available as a revenue from the State of New Jersey pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$3,368.39 is hereby appropriated under the caption DRUNK DRIVING ENFORCEMENT GRANT.

Section 3

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

- (d) Director of the Division of Local Government Services
- (e) Township Auditor
- (f) Township Chief Financial Officer

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, NJ, hereby certify that the above is a true of a Resolution adopted by the Township Committee of the Township of Cranbury at a regular meeting held on July 9, 2007.

Kathleen R Cunningham, Clerk

Cranbury Township Resolution # R 07-07-125

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF PLANNING ESCROW

WHEREAS, Prudential/Skillman has outstanding credits in their Planning escrow accounts previously posted with the Township.

WHEREAS, the Township Engineer and the Township Planner have no outstanding bills

Cranbury Township Resolution # R 07-07-125
(Continued)

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the Township of Cranbury release outstanding credits in Prudential's planning escrow accounts.

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

- (a) Township Engineer
- (b) Township Chief Financial Officer
- (c) Benton & Barbetti
- (d) Township Attorney

CERTIFICATION

I do hereby certify that the foregoing is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on July 9, 2007.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 07-07-126
TOWNSHIP OF CRANBURY

COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

A RESOLUTION AUTHORIZING THE CRANBURY DIGITAL CAMERA CLUB TO USE TOWNSHIP-OWNED PROPERTY DESIGNATED ON THE CRANBURY TOWNSHIP TAX MAPS AS BLOCK 23, LOT 14.03 (FROM TIME TO TIME REFERRED TO AS THE "WRIGHT" PROPERTY) FOR ITS SUMMER PHOTOGRAPHY WORKSHOP AND HOT AIR BALLOON FESTIVAL TO BE HELD ON AUGUST 11 AND 12, 2007

WHEREAS, the Cranbury digital Camera Club ("CdCC") will be holding a Summer Photography Workshop and Hot Air Balloon Festival on August 11th and 12th, 2007; and

WHEREAS, CdCC wishes to hold said Workshop and Festival on property owned by the Township of Cranbury and sometimes referred to as the "Wright" property, which property is located adjacent to the Township's municipal building and is designated on the Cranbury Township tax maps as Block 23, Lot 14.03; and

WHEREAS, CdCC will be utilizing the services of two professional "balloonmeisters," Air Ventures Hot Air Balloon Flights, Inc. and Seven Continents Balloons, to run the Festival; and

WHEREAS, in order to participate in the festival, all hot air balloon pilots will be required to have in place insurance coverage with limits of at least \$1,000,000.00 total liability and \$100,000.00 per person and will be required to name the Township of Cranbury and the CdCC as additional insureds;

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

1. The Cranbury digital Camera Club is hereby authorized to use Township-owned property located adjacent to the Township's municipal building and designated on the Cranbury Township tax maps as Block 23, Lot 14.03 (the "Wright property") on August 11th and 12th, 2007, for the purpose of conducting its Summer Photography Workshop and Hot Air Balloon Festival.
2. In order to participate in the Festival, each pilot shall be required to carry general comprehensive liability insurance in an amount not less than one hundred

thousand dollars (\$100,000.00) per single occurrence and one million dollars (\$1,000,000.00) aggregate, and prior to participating in the Festival shall submit a certificate of insurance acceptable to the Township evidencing the coverage identified above and naming the Township of Cranbury, 23A North Main Street, Cranbury, New Jersey 08512 as an additional insured.

3. Prior to the start of the Festival, CdCC, Air Ventures Hot Air Balloon Flights Inc., and Seven Continents Balloons (or such other individuals or entities as may serve as balloonmeister(s) during the Festival) shall submit to the Township signed releases holding harmless and indemnifying the Township, its officers, employees and agents from and against any cost, expense, loss, claim or liability whatsoever, including attorney's fees, for any injury, loss or damage caused by, arising out of or resulting from their use of the Wright property.
4. The Mayor, Clerk, Interim Administrator, and other appropriate staff and officials are authorized to sign such documents and undertake such acts as may be necessary to effectuate the terms hereof.
5. The Clerk shall transmit a certified copy of this resolution to the Cranbury digital Camera Club for its use in securing such additional permits, licenses or other documentation as may be required in connection with the Balloon Festival.

CERTIFICATION

I, Kathleen R. Cunningham, RMC, Clerk of the Township of Cranbury, do hereby certify that the foregoing resolution is a true copy of a Resolution passed by the Township of Cranbury at a meeting duly held on July 9, 2007.

Kathleen R. Cunningham,

Clerk

CRANBURY TOWNSHIP RESOLUTION # R-07-07-127

TOWNSHIP OF CRANBURY **COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

A RESOLUTION AWARDING CONTRACT NO. 34 TO MECO, INC. FOR THE LIBERTY WAY (NORTH) ROAD CONSTRUCTION PROJECT

WHEREAS, pursuant to a duly advertised notice to bidders, five bids were received on July 3, 2007 for completion of Contract No. 34, the Liberty Way (North) Construction project; and

WHEREAS, the apparent low bidder is Meco, Inc., of Millstone, New Jersey, with a bid of five hundred and forty-eight thousand, one hundred ninety-two dollars and fifty cents (\$548,192.50); and

WHEREAS, the Township Engineer recommends that the contract be awarded to Meco, Inc. as the lowest responsible and responsive bidder; and

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

Cranbury Township Resolution # R 07-07-127
(Continued)

WHEREAS, the Township will be receiving funding for this project from the State Transportation Trust Fund Municipal Aid Program, as a result of which any award of Contract 34 must be made subject to the approval of the New Jersey Department of Transportation;

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

1. Subject to the approval of the New Jersey Department of Transportation, Contract 34 for the Liberty Way (North) Construction project is hereby awarded to Meco, Inc. of Millstone, New Jersey, for \$548,192.50, as the lowest responsible and responsive bidder.
2. The Mayor and Clerk are hereby authorized and directed to execute an agreement with Meco, Inc. consistent herewith.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, do hereby certify that the foregoing resolution is a true copy of a resolution passed by the Township Committee of the of Cranbury at a meeting duly held on July 9, 2007.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # 07-07-128

WHEREAS, the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex.

NOW, THEREFORE, BE IT RESOLVED on this 9th day of July, 2007, that the Township of Cranbury, County of Middlesex, State of New Jersey, hereby recognizes the following:

1. The Township Committee does hereby authorize submission of an application for the Cranbury Municipal Alliance grant for calendar year 2008 in the amount of \$6,566.00.
2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

David Stout, Mayor

Cranbury Township Resolution # 07-07-128
(Continued)

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, County of Middlesex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township of Cranbury on this 9th day of July, 2007.

Kathleen R. Cunningham, Clerk

MOTION: Raffle Application for Cranbury Lions Club. **NOTE: Messrs. Stannard and Stout did not participate in the following or discussion:**

The Township Committee reviewed the Raffle Application submitted by The Cranbury Lions Club and a motion was made by Mr. Wittman, seconded by Mr. Panconi and unanimously carried (with Messrs. Stannard and Stout abstaining) to approve said Raffle Application for The Cranbury Lions Club for September 8, 2007.

Reports from Township staff and professionals

Mr. Coughlin, Interim Administrator, reported PSE&G had already started its tree removal project in the Township and he had already been receiving complaints from residents. Mr. Coughlin also reported the Township does not have a certified Principal Public Works Manager, however, he had spoken with Mr. Jerry Thorne, Forman for the Public Works Department, who is willing to take the required classes and test for the position. Mr. Stout recommended Mr. Thorne, stating he has worked for the Township for seventeen years. Mr. Wittman requested the item be discussed in Closed Session at the next Township meeting on July 23rd. The Township Committee members were in agreement. Mr. Coughlin also mentioned the Township had received a letter from the Turnpike in reference to the widening project offering to meet with the Township before they hold any public hearings. Mayor Stout recommended Messrs. Panconi and Stannard meet with the Turnpike officials. Mr. Coughlin reported he had received a visit from a resident at 6 Hardley Drive who is concerned with his driveway curbing needing repair and hoped the Township would do the repair. Ms. Marcelli recommended the repair not be done as the road had been milled and resurfaced about 5 years ago. Ms. Marcelli also indicated that the resident's driveway curbing is no worse than the others on the road and the Township does not replace curbing unless it is doing paving on the road.

Ms. Waterbury, Township Attorney, reported there is yet another issue with the purchase of the Wright property from Chip Wright. Ms. Waterbury explained in the past asbestos had to be abated and further, Mr. and Mrs. Zurfluh's driveway was to be re-located. Ms. Waterbury indicated the Township had retained escrow monies to address such issues and asked if she could meet to take care of these issues with the Interim Administrator and members of the Township Committee. Messrs. Wittman, Stannard, Ms. Waterbury and Ms. Marcelli will meet.

Ms. Marcelli, Township Engineer, reported she had sent a letter to the Mayor earlier asking for priority items for the NJDOT Fiscal Year '08 grants. Ms. Marcelli stated in previous years the Township had applied and received monies towards the Liberty Way Bridge and road projects. Mr. Stannard expressed his concern with the high estimate figure for the Liberty Way Bridge and asked Ms. Marcelli to get an "official" figure.

Reports from Township Boards and Commissions

Mr. Wittman, as the liaison to the Human Services Board, reported he, the Chairperson and the Board Secretary had met on July 5, 2007 to go over proposed rules and regulations for the new Senior Room. Mr. Wittman reported the scheduled opening of the Room is September 15, 2007. Mr. Wittman added, the meeting had been very productive. Ms. Stave stated she had tried to put

Reports from Township Boards and Commissions (Continued)

together a meeting earlier in the year to reach out to the Board and was sorry that meeting had not been productive and sorry it had not worked out.

Ms. Kirstie Venanzi, Library Board of Trustees, reported the Board was in the process of interviewing candidates for the Director's position. In addition, the Library is looking at their space needs and visiting other libraries within the State to get ideas.

Work Session

a. Monthly Report From Police Chief Jay Hansen

Chief Jay Hansen updated the Township Committee on the Department's activities for the month of June, 2007 and reported the overall amount of overtime for the month of June had been well within the Department's Budget. Chief Hansen reported 130 summonses had been issued: 79 in the Village area, 49 for speeding, 30 for other offenses, Route 130, 33 for speeding, 1 for other, East of Route 130-, 3 for speeding, 14 for other. There were three (3) arrests for driving on the revoked list, six (6) arrests for unlicensed drivers, and seven (7) violations for going through stop signs. During the month of June, officers ran radar on 128 occasions: Cranbury Neck Road: 11, Dey Road: 2, Maplewood Avenue: 11, N. Main Street: 29, Old Cranbury Road: 1, Old Trenton Road: 7, Plainsboro Road: 30, Prospect 1, Route 130-5, South Main Street: 9, South River Road: 4, Station Road: 10, Undesignated: 8. The radar speed sign mounted on the trunk of a patrol car had been deployed 28 times: Cranbury Neck Road: 4, Maplewood Avenue: 4, North Main Street: 4, Old Cranbury Road: 4, Old Trenton Road: 3, Plainsboro Road: 2, South Main Street: 4, Station Road: 3 and the unmanned decoy car had been deployed on 6 occasions: Cranbury Neck Road: 2, Maplewood Avenue: 1, North Main Street: 1, South Main Street: 1, Station Road: 1. Chief Hansen reported there had been one arrest at Village Park for violation of the "pig" Ordinance. The Chief also reported the paperwork had been completed for F.E.M.A. and thanked Chief DiStasi and Jerry Thorne for their help. Chief Hansen reported the hiring of the two (2) traffic patrolmen was in the background investigational stage. Mr. Wittman asked Chief Hansen if he had received a copy of the recent Traffic Study Report performed by Mr. Feranda. Chief Hansen indicated he had.

b. Path Forward for Village Green/Baseball Field

The Township Committee discussed the path forward for the Village Green/Baseball Field on the Wright South property. Ms. Marcelli, Township Engineer, stated the project could be bid in late August with a bid award in October and indicated her office would have to perform soil borings first. Ms. Marcelli asked the Township Committee's direction on what of the following items should be included in the bid: seeding and grading, infield mix and warning track mix, pitcher's mound grading and material, outfield, bleachers, outfield fence, backstop, irrigation, score board, dugouts and storage shed and bathroom. The Township Committee indicated the following items need to be included: seeding and grading, infield mix and warning track mix, pitcher's mound grading and material and outfield. In addition the irrigation of the field should be included. Ms. Marcelli also stated regardless of when the field is seeded, the Township should allow a minimum of two (2) growing seasons prior to using the fields. Mr. Wittman stated he wants to be directly involved and work with both Ms. Stave and Ms. Marcelli in the process as there is still a lot of opposition from the public concerning the baseball field.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. There being no comments, the Mayor closed the public part of the meeting.

Mayor's Notes

Mayor Stout announced he had performed a wedding on Sunday, July 8, 2007 at the home of

Jonathan Rosenberg, Captain of the Cranbury First Aid Squad and Linda Heath.

On motion by Ms. Stave, seconded by Mr. Wittman and unanimously carried, the meeting adjourned at 8:35 p.m.

Kathleen R. Cunningham, Clerk