

TOWNSHIP COMMITTEE MEETING
OCTOBER 22, 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 were: Township Committee members: Richard Stannard, Pari Stave, Wayne Wittman and Mayor David J. Stout. Mr. Panconi was absent. Also present was: Trishka Waterbury, Esquire, Attorney, 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 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 thanked representatives of the Township who had participated in the tour of Town Hall given on Tuesday, October 16th to the Cranbury Elementary School Second Graders as part of their civics class. Mayor Stout reported he had spent some time with them as well and they were "incredibly enthusiastic". Mayor Stout had declared last Tuesday as "Cranbury School Second Graders Day" in the Township. Mayor Stout reported the Sustainability Alternative Energy Work Group had met on Wednesday, October 17th. He reported the audit progress was steady and the Group expects to have some recommendations and ideas to consider during the Township's Budget process. Mayor Stout reported he and Mr. Stannard had met with Freeholder Crabiell last Friday in reference to the County possibly funding several parks and recreation projects in Cranbury. Freeholder Crabiell asked that the Township submit a grant request. Mayor Stout stated they had requested financial assistance for the Millstone driveway re-alignment and possibly getting some money to rehabilitate the baseball field in Village Park. Mayor Stout noted the baseball field, which is utilized a lot and shared by both Plainsboro Township and Cranbury Township had not been updated in quite some time. Mayor Stout reported he had received an e-mail from First Sgt. Richard Coyle, United States Air Force, thanking Ms. Cyndy Coppotelli, Cranbury Township Girl Scout Troop # 1467, for sending "care packages" to his troops in Iraq. Mayor Stout explained the Troop had collected, on Cranbury Day, various items and then sent care packages over to First Sgt. Coyle for his troop. Sgt. Coyle stated how much the morale of his soldiers was helped by Ms. Coppotelli and her girl scouts.

--Members of Committee

There were no reports.

Agenda Additions/Changes

Ms. Cunningham, Clerk, reported the item to approve a Raffle Application for the Cranbury Lions Club was being carried to the Special Township Committee Meeting on November 1st as with both Messrs. Stannard and Stout conflicted and Mr. Panconi absent; there were not enough members present to vote on the motion.

Work Session

a) Report on Affordable Housing (Mark Berkowsky)

Mark Berkowsky, Cranbury Housing Associates, discussed with the Township Committee, the Township's Affordable Housing Projects. Mr. Berkowsky indicated the new affordable housing units on Old Cranbury Road were on schedule with a completion for the end of February and occupancy in March. Mr. Berkowsky stated advertising will start this week and continue for 60 days. Anyone submitting an application will then go into a lottery. Numbers would be then be assigned for priorities for the 20 units. Mr. Berkowsky stated those individuals who are currently on the list would also be entered into the lottery. Anyone who applies after the closing date would go to the bottom of the list. Mr. Berkowsky indicated the current list has 400 individuals on the waiting list. The pre-qualification process will start in December by Piazza & Associates. Once an individual qualifies they will then be assigned a unit.

b) Awards Program

The Township Committee discussed with the Township Attorney, Ms. Waterbury, recent research she had done to determine what awards programs other municipalities have. Ms. Waterbury reported she had contacted Princeton Township and Montgomery Township; neither have a formal awards program. Princeton Township has an awards program; however, it is for all employees and volunteers and is based on the number of years an individual has been serving. For every five (5) years of service an individual is recognized with a gift. Ms. Stave expressed she was "adamantly opposed" to giving cash or any other token of appreciation to individuals and noted it would be a disservice to give youths an incentive with remuneration for volunteering. Mr. Stannard stated he was in agreement with Ms. Stave. Mr. Stannard added he was very much in favor of recognizing individuals with the current practice of giving them a Resolution. Mr. Wittman stated he did not feel it inappropriate to have an awards program. Mayor Stout raised his concern in "creating a competition where there is not one". Mayor Stout asked that the issue be tabled. Ms. Stave requested the public be allowed to speak:

Mr. Richard Kallan, Wynnewood Drive, stated his past employer would from time to time give small tokens of appreciation to certain individuals. The net result was negative. Every person felt, whether they did a small job or larger job, they deserved to be recognized.

Mr. Francis Staples, 3 Griggs Road, stated he agreed with Mr. Kallan and stated if the Township should selectively reward some individuals and not others it would lead to a negative atmosphere. He stated there should be some recognition for volunteers and everyone should be recognized equally.

Mayor Stout tabled the issue.

c) Request For Hazardous Route Evaluation

The Township Administrator, Christine Smeltzer, discussed with the Township Committee a letter from The Cranbury Township Board of Education, requesting the Township perform a "hazardous route evaluation" for the area along Cranbury Neck Road. She indicated she had transmitted the information to the Township Attorney for research. Ms. Waterbury indicated she was in the process of preparing a response memo and should have the memo within the next two (2) days. Mayor Stout stated the Township had met with representatives

Work Session (Continued)

c) Request For Hazardous Route Evaluation (cont'd)

from the School and had discussed looking at making the section a "No Passing" zone. Mayor Stout explained the area is a 25 mph zone and children are walking to

school. The Township had indicated if the Township Committee agreed it would move forward and adopt a resolution to make the area a “No Passing” zone and then forward the resolution to the County. Mayor Stout reported, after the Township agreed, the School sent another letter requesting something different. Ms. Smeltzer added she had also requested the Township Engineer to provide standards by which roads are evaluated and forward the information to the Township Attorney. Mayor Stout stated the Township would be memorializing the “No Passing Zone” from Symmes Court to Wynnewood Drive on Cranbury Neck Road later in the meeting by adopting a resolution.

Mr. Wittman recused himself from the following discussion:

- d) Pole Relocation Cost Estimate
The Township Administrator, Ms. Smeltzer, discussed with the Township Committee the cost of removal of electrical poles on the Wright South Property in preparation for the new Baseball Field and part of a Village Green. Ms. Smeltzer indicated the Township had received an estimate from PSE&G, in the amount of \$8,377.62, for removal of three poles. Mayor Stout stated he supported the estimate and the Township should move forward. The other Township Committee members unanimously agreed.

- e) Dam Inspection
The Township Administrator, Ms. Smeltzer, stated she had received a compliance letter from the State Department of Environmental Protection. Ms. Smeltzer reported she had reviewed the costs for the dam inspection with Ms. Marcelli, Township Engineer of Hatch Mott MacDonald and requested Township Committee’s approval for Hatch Mott MacDonald to perform the work for \$6,800. Mayor Stout asked clarification on the definition of the dam, i.e. the concrete spillway or the earthen structure. Mayor Stout explained in the past there had been some discourse with the County over who owns certain portions of the dam. There are two (2) pieces to the dam. Ms. Smeltzer indicated she would obtain clarification and put the information in the Township Committee’s weekend mail.

Ordinance
First Reading

Cranbury Township Ordinance # 10-07-12

An Ordinance entitled, “Cranbury Township Ordinance # 10-07-12, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, REPLACING IN ITS ENTIRETY EXISTING CHAPTER 120 OF THE CODE OF THE TOWNSHIP OF CRANBURY, ENTITLED “RECYCLING”, WITH NEW CHAPTER 120 OF THE CODE OF THE TOWNSHIP OF CRANBURY, ENTITLED “RECYCLING””, was introduced for first reading. Ms. Smelter, Township Administrator, stated the Township has had a recycling ordinance for quite a while, however, the County has a Solid Waste Management Plan which the Township take advantage of and as part of that, the Township needs to stipulate items which residents need to recycle. In addition, the County has sent to the Township changes and asked the Township to update its Ordinance. Ms. Smeltzer stated one of the changes was construction and demolition sites are now required to recycle. Ms. Smeltzer noted she had mentioned this change to the Township’s Construction Official, Mr. Farrington, he indicated that contractors had been recycling for awhile.

Cranbury Township Ordinance # 10-07-12
(Continued)

On motion by Ms. Stave, seconded by Mr. Stannard, the Ordinance was passed on first reading by vote:

Ayes: (Stannard
(Stave) Abstain: (None
Absent: (Panconi

(Stout
(Wittman

Nays: (None

Public Hearing: November 1, 2007

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

Section 1. Existing chapter 120 of the Code of the Township of Cranbury, entitled "Recycling", is hereby deleted and replaced in its entirety with new chapter 120, which shall also be entitled "Recycling," and which shall read as follows:

§ 120-1. Definitions.

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

AGREEMENT – The Agreement between the municipality and the authority for the provision of recycling and marketing services

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

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

AUTHORITY COLLECTED RECYCLABLES — The following designated recyclables generated within the geographic commercial sources, steel cans, plastic containers, mixed paper and textiles.

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

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

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

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

Cranbury Township Ordinance # 10-07-12
(Continued)

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

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

COUNTY — The County of Middlesex, New Jersey.

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

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

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

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

ELECTRONICS – televisions, CPU's monitors, laptops, and mercury-containing devices.

FLORESCENT BULBS – Lamps that contain mercury.

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

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

MASONRY/PAVING MATERIAL: asphalt, block, brick, cinder, and concrete.

MAY 17, 2007, AMENDMENT – the amendments to the County Plan (Nos. 2006-2) was adopted by the Board of Board of Chosen Freeholders in December 2006 and certified by the NJDEP on May 17, 2007, for municipalities to update their Recycling Ordinance.

Cranbury Township Ordinance # 10-07-12
(Continued)

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

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

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

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

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

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

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

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

RECHARGABLE BATTERIES – Nickel Cadmium (Ni-Cd), Nickel Metal Hydride (Ni-MH), Lithium Ion (Li-ion) and Small Sealed Lead (Pb).

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

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

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

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

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

Cranbury Township Ordinance # 10-07-12
(Continued)

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

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

WHITE GOODS – Washers, dryers, ranges, refrigerators, air conditioners. Note: all devices that contain CFC's must be properly evacuated by licensed individuals and all CFC's recovered must be sent to an EPA approved reclaimer.

WOOD SCRAP – Unfinished lumber from new construction projects including pallets. Unfinished shall mean non-chemically treated (not pressure treated, impregnated

with preservatives, insecticides, fungicides, creosote, or other chemicals, and not painted, resin-coated or otherwise surface treated, and not laminated or bonded; and not similarly altered from its natural condition). – only for new construction sites.

§ 120-2 Mandatory recycling items

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

- A. Newspaper.
- B. Aluminum cans.
- C. Glass containers.
- D. Plastic containers.
- E. Steel cans
- F. Corrugated cardboard.
- G. Mixed paper.
- H. Textiles.
- I. Motor oil.
- J. Leaves.
- K. Brush.
- L. Masonry/paving material
- M. Rechargeable batteries
- N. Tires
- O. White goods

Additional items for all commercial, industrial and institutional, governments and office parks shall recycle, or cause to be recycled, the following categories of recyclables.

- A. Electronics
- B. Fluorescent bulbs
- C. Plastic film
- D. Wood scraps

§ 120-3. Recycling requirements.

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

Cranbury Township Ordinance # 10-07-12
(Continued)

- A. The Township of Cranbury hereby adopts this section to provide for recycling within its borders pursuant to the Recycling Act adopting herein the Middlesex County Recycling Plan as its official municipal recycling program; and
- B. All residential and commercial contracts for solid waste collection and/or disposal within Cranbury Township shall be consistent with this section and the Middlesex County Recycling Plan.
- C. The Township of Cranbury shall provide for a collection system of leaves generated from residential premises, and require that persons occupying residential premises within these

municipal boundaries shall source-separate leaves from solid waste generated at those premises and, unless leaves are stored or recycled for composting or mulching by the generator, place the leaves for collection in the manner provided in §120-4C (2), Code of the Township of Cranbury.

- D. The Township of Cranbury shall provide for a collection system for brush generated from residential premises, and require that persons occupying residential premises within the municipal boundaries shall source-separate brush from solid waste
- E. generated at those premises, and place the brush for collection in the manner provided in § 120-4C(3), Code of the Township of Cranbury.
- F. The Township of Cranbury shall, at a minimum, within 30 days after the adoption of this chapter and at least once every six months thereafter, notify all persons occupying residential, commercial, industrial and institutional, government and office park premises within these municipal boundaries of recycling opportunities and the source-separation requirements of its ordinance and the Middlesex County Recycling Plan. In order to fulfill the notification requirements of this subsection, this municipality may, in its discretion, place an advertisement in a newspaper circulating in the municipality, post a notice in public places where public notices are customarily posted, include a notice with other official notifications periodically mailed to residential taxpayers, or any combination thereof, as the municipality deems necessary and appropriate.
- G. The Township of Cranbury shall prepare and distribute additional literature and other educational materials describing, among other things:
 - (1) The municipal recycling program established pursuant to the Recycling Ordinance;
 - (2) The County-Wide Recycling Program and the recycling services to be provided within the geographic boundaries of the municipality;
 - (3) The designated recyclables to be source-separated;
 - (4) The manner or method of preparing source-separated material for collection; and
 - (5) The location and schedules for collection. All such literature and other educational materials shall be prepared in accordance with written guidelines established by the Authority and shall be approved by the Authority prior to distribution.

Cranbury Township Ordinance # 10-07-12
(Continued)

- H. On the commencement date, the Authority will cause the contractor to commence the provision of recycling services for the Authority collected recyclables for all residents. The Authority collected recyclables shall be collected by the contractor at curbside at:
 - (1) All single-family or duplex residential locations.
 - (2) All multifamily dwellings with four or less units, and all small businesses. All multifamily dwellings with five or more units, schools, public buildings, hospitals, and other institutions shall deposit the Authority collected recyclables in on-site containers to be provided by the contractor.
- I. The contractor shall collect Authority collected recyclables on a biweekly basis. Collections will occur Monday thru Friday and, at the contractor's option, on Saturday, except for legal holidays, between the hours of 7:00 a.m. and 6:00 p.m.
- J. At the time of placement of recyclable materials designated for collection by the recycling plan of the Township of Cranbury at the curb or street side of residential units, said materials

shall be considered the sole property of the Middlesex County Improvement Authority and shall be considered a conscious contribution by that resident to the County Recycling System for collection by the Middlesex County Improvement Authority or its agent.

§120-4 Recycling responsibilities.

- A. The contractor will be responsible for the collection at the curbside only. Authority collected recyclables that have been separated and prepared for collection as noted in §120-4C(1).
- B. The Township will be responsible for collecting leaves and brush prepared and located at the curb in accordance with §120-4C(2) and (3). The Township will collect tree branches, shrubbery, and other yard clippings on or about the third Wednesday of every month.
- C. Residents must separate, prepare items as follows:
 - (1) Recyclables.
 - (a) Newspaper and corrugated cardboard must be placed at the curb in segregated, twine-tied bundles (no wire or bags) no greater than 12 inches in height.
 - (b) Mixed paper, including office paper, must be placed at the curb in the mixed paper container.
 - (c) Glass containers, aluminum, cans, plastic containers and steel cans shall be commingled in a commingled container.
 - (d) Textiles shall be segregated in the textile bag.
 - (e) Any Authority collected recyclables that are not prepared for collection in this manner will be left at the curb by the contractor.

- (2) Leaves shall be placed between the sidewalk and the curb for pickup, and shall not be placed closer than ten (10) feet to any storm drain inlet. Placement of leaves pursuant to this section shall only be allowed during the seven (7) days prior to a scheduled and announced collection. Any

Cranbury Township Ordinance # 10-07-12
(Continued)

- (3) placement at any other time or in any other place shall be in violation of this ordinance. Leaves shall be free of branches, vines, grass clippings and
- (4) other debris. Leaves not properly prepared or placed will not be picked up by the Township and the party responsible shall remove the leaves or be deemed in violation of this ordinance.
- (5) Brush collection requirements:
 - (a) Residents must notify the Public Works Department of requests for chipping services by the Monday before the third Wednesday of the month.
 - (b) Materials should be tree branches and shrub branches preferably longer than three feet. All materials should be stacked at the curb or as near to the curb as possible. Hedge clippings, twigs, small branches less than three feet (but not less than one foot) must be bundled with string only (no wire) and must be free of foreign debris, such as stones, dirt, metal, sweepings and rakings. No lumber, construction material or roots are permitted. All material to be chipped should be placed at the curb and no closer than ten feet to a storm drain inlet by 8:00 a.m.

on the collection day. Any material placed at the curb that does not conform with these specifications will not be picked up by the Township.

§120-5 Construction/Demolition Waste/Recycling Requirements.

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

- A. Corrugated cardboard.
- B. Masonry/paving materials (including concrete, asphalt, brick, block and cinder).
- C. Wood scrap – for new construction sites only.
- D. Tires.
- E. Paper (newspaper and mixed paper)
- F. Bottles and cans (glass, aluminum, steel and plastic).
- G. Leaves and brush.
- H. White goods (washers, dryers, ranges, refrigerators, and air conditioners).
- I. Fluorescent bulbs, computers and televisions.

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

§120-6 Enforcement.

The enforcement of the Recycling Plan of the Township of Cranbury shall be provided individually and severally by the Township of Cranbury with regard to enforcement of this

Cranbury Township Ordinance # 10-07-12
(Continued)

chapter and/or Middlesex County Improvement Authority, and/or the New Jersey Department of Environmental Protection.

§120-7 Violations and penalties.

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

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

Section 2. This Ordinance will take effect upon final adoption and publication, as provided for by law.

Resolutions
Consent Agenda

Mayor Stout stated the first Resolution, # 169, was for payment of bills and was inclusive of the PSE&G payment. The payment is for the removal of the three (3) utility poles on the Wright South Property for the new Baseball Field in the amount of \$8,377.62. On motion by Mr. Stannard, seconded by Ms. Stave and unanimously carried (with Mr. Wittman abstaining) the payment was approved. Mayor Stout reported # 170 was for approval for a computer consulting service and thanked Ms. Smeltzer, Township Administrator, for leading the effort to evaluate the Township's computer systems. Mayor Stout stated, in his opinion, it would lower costs, improve efficiency over time and improve customer service, #171 was for the "No Passing Zone" from Symmes Court to Wynnewood Drive on Cranbury Neck Road, # 172 was for grant monies received for Aggressive Driving, # 173 to release escrow monies for police overtime work and # 174 was to release a Performance Guarantee to a Developer.

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

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

Abstain: (None
Absent: (Panconi

Nays: (None

Cranbury Township Resolution # R 10-07-169

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 10-07-170

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

Cranbury Township Resolution # R 10-07-170
(Continued)

**A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT FOR COMPUTER
CONSULTING SERVICES TO RnD**

WHEREAS, there exists a need for computer consulting services in the Township of Cranbury (the "Township") in the County of Middlesex, State of New Jersey; and

WHEREAS, RnD Consulting Services submitted a proposal dated September 19, 2007 to perform those services; and

WHEREAS, funds are available for said services; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised; and

WHEREAS, computer consulting proposals were solicited through a fair and open process;

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

1. RnD Consulting Services ("RnD") is hereby retained to provide computer consulting services to the Township for a one-year period, upon execution of said contract, in accordance with the above-cited September 19, 2007 proposal.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a Professional Services Agreement with RnD subject to approval of the Township Committee.
3. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), because it is for services performed by persons authorized by law to practice a recognized profession.
4. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Township.
5. A notice of this action shall be published in the official newspaper as required by law.
Cranbury Township Resolution # R 10-07-171

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

A RESOLUTION CONCERNING THE TOWNSHIP OF CRANBURY'S REQUEST TO THE COUNTY OF MIDDLESEX TO ESTABLISH A "NO PASSING ZONE" ALONG CRANBURY NECK ROAD FROM SYMMES COURT TO WEST BOUND TO WYNNEWOOD DRIVE

WHEREAS, Cranbury Neck Road, also known as County Route 615, 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

Cranbury Township Resolution # R 10-07-171
(Continued)

WHEREAS, on the stretch of road, between Wynnewood Drive and South Main Street, there are residential neighborhoods, and

WHEREAS, Township residents and children from the south side of Cranbury Neck Road cross to the north side of Cranbury Neck Road to access the sidewalk that leads to the Cranbury Elementary School and the Town Center, and

WHEREAS, certain Township residents have expressed their concerns about speeding, passing and other activities impacting on the general safety of pedestrians and especially children crossing the road; and

WHEREAS, Cranbury Neck Road is striped for "No Passing" eastbound and westbound from South Main Street to Symmes Court; and

WHEREAS, Cranbury Neck Road is not striped as "No Passing" from Symmes Court to Wynnewood Drive on both the east and westbound lane; and

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

1. The Township hereby requests and petitions the County of Middlesex to establish a "No Passing" zone on Cranbury Neck Road (a/k/a County Road 615); for both the eastbound and the westbound lane between Symmes Court and Wynnewood Drive

2. The Township, through its Mayor, staff and professionals is hereby authorized and directed to request from and work with the County of Middlesex to seek to establish a "No Passing" zone along Cranbury Neck Road (a/k/a County Road 615); and

BE IT FURTHER RESOLVED, the Clerk is hereby directed to send a certified copy of this Resolution to the County of Middlesex.

Cranbury Township Resolution # R 10-07-172

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

Cranbury Township Resolution # R 10-07-172
(Continued)

revenue in the budget of the year 2007 in the sum of \$10,000.00 which item is now available as a revenue from the Division of Highway Traffic Safety pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$10,000.00 is hereby appropriated under the caption Aggressive Driving 2008.

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

Cranbury Township Resolution # 10-07-173

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF EXTRA DUTY ESCROW

WHEREAS, the Danella Line Services has outstanding credits in their Extra Duty escrow account previously posted with the Township.

WHEREAS, the Police Department has no outstanding bills;

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

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 Chief Financial Officer
- (b) Danella Line Services, Charles Engle

Cranbury Township Resolution # 10-07-174

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR GORDON EXIT 8A

WHEREAS, by letter dated September 14, 2007, Gordon Construction has requested the release 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 October 11, 2007 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Performance Bond	\$ 444,946.61
	Cranbury Township Resolution # R 10-07-174
	(Continued)

Cash	\$ 49,438.51
------	--------------

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".
2. It hereby authorizes the release 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) Sandberg, Carl
- (d) Township Attorney

Reports from Township Staff and Professionals

Township Attorney – Report on realignment of Millstone Park driveway. Ms. Waterbury, Township Attorney, reported she had expressed a concern at the last Township Committee Meeting with the re-alignment of the driveway at Millstone Park having to be reviewed by Green Acres. Ms. Waterbury explained, under Green Acre's Rules, the re-alignment may have created a "diversion" . Ms. Waterbury stated she had checked the regulations and it did not. Ms. Smeltzer added, the Township Engineer had

spoken with the County Engineer's Office and they indicated they would add the driveway re-alignment to their project when they do the road work.

Reports from Township Boards and Commissions

There were no reports.

Public Comment

The Mayor opened the meeting to public questions and comments on those items not on the agenda. Mr. Richard Kallan, Wynnewood Drive, asked about the Recycling Ordinance introduced earlier in the meeting. Mr. Kallan noted under "mandatory recycling items" there was no reference to fluorescent bulbs. Mr. Kallan recommended the Township have a collection system for fluorescent bulbs. Mayor Stout responded by asking the Township Administrator to call the County Recycling Agent to determine if they are planning to start such a program. Ms. Stave indicated she had been speaking with a resident, Mr. Michael Klein, who complained the Township did not have a recycling program for any electronic items. Mayor Stout offered the Township could look into requesting those items as well. Mr. Dietrich Wahlers, Hagerty Lane, stated there is a location in the Township which takes electronic equipment and the location and phone number were in the Township Newsletter. Mr. Wahlers asked what the budgeted amount ("turnkey" cost) was for the Affordable Housing on Old Cranbury Road. Mr. Berkowsky responded he did not have the information and added the information could be obtained from the Township's C.F.O., Ms. Marabello. Mr. Wittman stated the land had been donated to the Township as part of the settlement agreement. Mr. Wahlers explained he wanted to determine the average cost to build an Affordable House in the Township. Mr. John Ritter, Plainsboro Road, requested the public be allowed to ask questions of Professionals when they present reports to the Township Committee. Mr. Ritter explained, once an individual is finished giving a report, they

Public Comment (Continued)

sometimes leave. If a member of the public has a question they are unable to speak until the Public Portion of the meeting. Mr. Ritter requested a provision be made for the public to ask questions after the professionals' reports. Mr. Ritter asked Mr. Berkowsky if some of the rationale

Public Comment (Continued)

for COAH housing was based on the idea people who work in the area should basically be able to live in the area. Mr. Ritter stated people are being driven out of areas they basically grew up in because they cannot afford housing. Mr. Ritter asked if there was any priority given to former residents. Mr. Berkowsky responded under COAH regulations there were no such provisions. Mr. Ritter recommended having a centralized location for the fluorescent light bulb recycling. There being no further comments, the Mayor closed the public part of the meeting.

Ms. Smeltzer indicated there was a Personnel issue which needed to be discussed in Open Session at the request of the individual involved (Tax Collector):

Ms. Waterbury, Township Attorney, indicated she needed to recuse herself from the following Personnel discussion as she was conflicted:

Ms. Smeltzer reported all municipalities are being asked to work on the 2010 Census and are being asked to participate in various ways. Ms. Smeltzer indicated there are three ways the Township could participate and she recommended the option that allows the Township to review, correct, add and delete census. As the Administrator, Ms. Smeltzer indicated she would ask the person who has control over giving out tax address numbers, namely, the Township Tax Collector to assist. Ms. Smeltzer indicated she plans to utilize the Tax Collector during the 2010 Census. The Census will involve verification of records and changing any records that are incorrect. If the Township makes sure it has a very accurate count, it helps the Township's position in securing grants from various government entities. Ms. Stave asked the duration of the project. Ms. Smeltzer indicated it would be several months once she sends in the information to the Census Bureau indicating which option the Township wants. Ms. Smeltzer reported

the project will start after November 17, 2007. Ms. Smeltzer indicated she had already spoken with the Tax Collector and she is willing to work on the project.

Resolution

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

Ayes: (Stannard
(Stave
(Stout
(Wittman

Abstain: (None
Absent: (Panconi

Nays: (None

Cranbury Township Resolution # R 10-07-175

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:

Cranbury Township Resolution # R 10-07-175
(Continued)

--- Personnel: Discussion of terms and conditions of employment for: Public Works Laborer.

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: October 22, 2007

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

Ayes: (Stannard
(Stave
(Stout
(Wittman

Abstain: (None
Absent: (Panconi

Nays: (None

On motion by Ms. Stave, seconded by Mr. Stannard and unanimously carried, the meeting adjourned at 8:18 p.m.

Kathleen R. Cunningham, Clerk