

TOWNSHIP COMMITTEE MEETING  
April 17, 2006

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: Richard Stannard, Pari Stave, David Stout and Mayor Thomas F. Panconi, Jr. Mr. Wittman was absent. Also present were: Trishka Waterbury, Esquire, Attorney, and Kathleen R. Cunningham, Clerk. Mayor Panconi 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 March 27, 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 March 27, 2006.
3. Was filed on March 27, 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.

Regular Committee Minutes of March 27, 2006  
Closed Session Minutes of March 27, 2006

On motion by Mr. Stout, seconded by Ms. Stave and unanimously carried (with Mr. Stannard abstaining), both the Closed Session minutes and regular minutes of March 27, 2006 were adopted.

Reports and Communications

--Mayor

Mayor Panconi reported at the last meeting, Mr. Wittman raised a question concerning the Agreement the Township had with Plainsboro Township regarding the Court, specifically, how long it would take to opt out of the Agreement. Ms. Waterbury, Township Attorney, indicated either side would have to give a one-year notice to cancel the Agreement. Mayor Panconi reported he had attended, along with Township Clerk, Kathy Cunningham, a dinner held by the Cranbury Business and Professional Association on March 29, 2006 and had a chance to meet and learn about their activities and concerns of many Cranbury Township business owners for 2006. Mayor Panconi stated at this meeting, it had been suggested he plan a ribbon cutting ceremony for the Hot Wok and he was in the process of coordinating the event. Mayor Panconi also reported on Friday, March 31, 2006, he had attended the centennial celebration at the Cranbury Public Library at which a Proclamation was presented to the Library by Assemblywoman Linda Greenstein. Mayor Panconi indicated he had asked the Clerk to put together a list of Cranbury Township events and mail the list to Congressman Rush Holt, Senator Peter Inverso, Assemblywoman Linda Greenstein and Assemblyman Bill Baroni. Mayor Panconi reported, Saturday, April 15, 2006, he had conducted Mayor's hours and during that time, the Fire Company's President, Sam DiStasio, President, Charles Smith and Bob Allen. During the month of March the Fire Company had received 19 calls, 15 were from 6:00 a.m. until 6:00 p.m. Four were from 6:00 p.m. until 6:00 a.m. and averaged 10 responders per call. One call was for a smoke detector, odor of smoke in basement, one an actual structural fire. Eleven automatic alarms--four were questionable alarms, three of the four were due to the fact that the alarm systems were being repaired and the alarm companies forgot to notify the police. Mayor Panconi indicated this had been pointed out in the apparatus evaluation and he would be reviewing this

Reports and Communications problem with the Fire Official and possibly increasing and enforcing the fines. Two broken sprinkler heads, one carbon monoxide alarm and two mutual aid calls for East

Windsor . Mayor Panconi reported he had asked the Fire Company to also list various training activities for the month in the future.

--Members of Committee

Mr. Stout reported he had represented the Township at the opening day of the Cranbury/Plainsboro Little League. Mayor Cantu of Plainsboro and Mr. Stout gave remarks. Mr. Stout received a phone call from the C.E.O. of Veridian requesting a meeting and Mr. Stout sent him an e-mail requesting that any meetings requests go through the Clerk.

--Subcommittees

There were no Subcommittee reports.

Agenda Additions/Changes

The Clerk announced under the Work Session, item e. was being added, Discussion of re-zoning a portion of the KHov Development site for Affordable Housing. Also under Work Session, item d. would be moved to item a. and under Closed Session, deleting "land acquisition".

Ordinances

First Reading

Cranbury Township Ordinance # 04-06-08

An Ordinance entitled, "Cranbury Township Ordinance # 04-06-08, A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING THE ISSUANCE OF \$486,993 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF", was introduced for first reading. Ms. Denise Marabello, C.F.O., explained the Ordinance was for the capital items, which were approved by the Township Committee in the 2006 Budget. The Clerk read the capital items aloud. On motion by Ms. Stave, seconded by Mr. Stannard, the Ordinance was passed on first reading by vote:

Ayes: (Panconi  
(Stannard  
(Stave  
(Stout

Abstain: (None  
Absent: (Wittman

Nays: (None

Public Hearing: May 8, 2006

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

The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Cranbury, New Jersey as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$512,625, including the aggregate sum of

Cranbury Township Ordinance # 04-06-08

(Continued)

\$25,632 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$486,993 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

Purpose	Appropriation and Estimated ____Cost____	Amount of Bonds or Notes	Period of Usefulness
a) The acquisition of various equipment for different departments, including a radar unit, a traffic monitor unit, VCR-DVD recorders, a projector, CPR Mannequins, AED pads, and a mower and snow blower for the police station and further including all related costs and expenditures incidental thereto.	\$ 14,125	\$13,418	5 years
b) The installation of a security gate at the Department of Public Works yard and a fuel tank, including all work and materials necessary therefor and incidental thereto.	\$ 20,000	\$ 19,000	10 years
c) The acquisition of a Cranbury Brook Pump Station concrete lid and a Grinder pump for the wet well, Including all related costs and Expenditures incidental thereto.	\$ 120,000	\$ 114,000	10 years
d) Preliminary planning expenses in Connection with the affordable Housing-3 <sup>rd</sup> round obligations, Including all related costs and Expenditures incidental thereto.	\$ 50,000	\$ 47,500	15 years
e) The acquisition of equipment for the storage barn, including all related costs and expenditures incidental thereto.	\$ 300,000	\$ 285,000	15 years

Cranbury Township Ordinance # 04-06-08  
(Continued)

Purpose	Appropriation and Estimated ____Cost____	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
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f) The Brainerd Lake Dam Hydrologic Study.	\$ 8,500	\$ 8,075	15 years
TOTALS	\$ 512,625	\$ 486,993	15 years

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

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

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

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

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Township may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 14.52 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$486,993, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

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(Continued)

(d) An aggregate amount not exceeding \$95,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

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

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

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

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

Ordinance

First Reading

Cranbury Township Ordinance # 04-06-09

An Ordinance entitled," Cranbury Township Ordinance # 04-06-09, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY CONCERNING STORMWATER MANAGEMENT AND REPLACING IN ITS ENTIRETY OLD SECTION 150-61 OF THE CRANBURY TOWNSHIP LAND DEVELOPMENT ORDINANCE WITH NEW SECTION 150-61" was introduced for first reading. Ms. Waterbury, Township Attorney, explained this Ordinance was being introduced to align with new D.E.P. regulations. Mr. Stout added the new regulations address some very specific performance standards for any type of new development. On motion by Mr. Stout, seconded by Ms. Stave, the Ordinance was passed on first reading by vote:

Ayes: (Panconi  
(Stannard  
(Stave  
(Stout

Abstain: (None  
Absent: (Wittman

Nays: (None

Public Hearing: May 8, 2006

Cranbury Township Ordinance # 04-06-09  
(Continued)

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

1. Section 150-61 of the Land Use Ordinance of the "Code of the Township of Cranbury," concerning stormwater management regulations, is deleted in its entirety and replaced with the following NEW language:

§ 150-61. Stormwater management.

A. Stormwater management overview.

(1) Policy statement.

(a) The standards in this ordinance apply only to new development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and to maintain groundwater recharge.

(b) Runoff within a site shall remain within the same drainage basin in which it originated and shall be release in such a manner so as to not overload existing drainage systems, create need for additional drainage facilities on other public or private lands, or increase predevelopment erosion of adjacent lands.

(c) Stormwater management measures for development shall meet the erosion control, groundwater recharge, stormwater runoff quantity, and stormwater runoff quality standards in Section 150-61. To the maximum extent practicable, these standards shall be met by incorporating nonstructural stormwater management strategies and Best Management Practices (BMPs) into the design. Nonstructural strategies include both environmentally sensitive site design and source controls that prevent pollutants from being placed on the site or from being exposed to stormwater. Source control plans should be developed based upon physical site conditions and the origin, nature, and the anticipated quantity or amount of potential pollutants.

(d) Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

(e) If nonstructural strategies alone are not sufficient to meet these standards, structural stormwater management measures shall be incorporated. Structural BMPs should be integrated with nonstructural stormwater management strategies and proper maintenance plans.

(2) Applicability.

(a) This Section shall be applicable to all site plans and subdivisions, that require preliminary and final approval review(s), for non-residential major developments and aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards (N.J.A.C. 5:21), that require preliminary or final site plan or subdivision approval review(s).

(b) This Section shall also be applicable to all major developments undertaken by the Township of Cranbury.

(3) Compatibility with other permit and ordinance requirements.

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(Continued)

(a) Development approvals issued for subdivisions and site plans pursuant to this ordinance are to be considered an integral part of development approvals under the subdivision and site plan review process and do not

(b) relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other

- (c) applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.
- (4) Site Development Stormwater Plan.
- (a) Any development plan application shall contain a Site Development Stormwater Plan designed in conformance with the stormwater management criteria set forth herein.

B. Stormwater management standards.

- (1) The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section 150-61.G.
- (2) Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the New Jersey Department of Environmental Protection's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle).
- (3) The following linear development projects are exempt from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality standards in Sections 150-61.B.(7) and 150-61.B.(8):
  - (a) The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
  - (b) The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
  - (c) The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- (4) A waiver from strict compliance from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality standards in Sections 150-61.B.(7) and 150-61.B.(8) may be obtained for the enlargement of an existing public roadway or railroad; or the construction

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or enlargement of a public pedestrian access, provided that the following conditions are met:

- (a) The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
- (b) The applicant demonstrates through an alternatives analysis, that through the use of nonstructural and structural stormwater management strategies and measures, the option selected complies with the standards in Sections 150-61.B.(7) and 150-61.B.(8) to the maximum extent practicable;

- (c) The applicant demonstrates that, in order to meet the standards in Sections 150-61.B.(7) and 150-61.B.(8), existing structures currently in use, such as homes and buildings, would need to be condemned; and
  - (d) The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under Section 150-61.B.(4).(c) above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the standards in Sections 150-61.B.(7) and 150-61.B.(8) that were not achievable on-site.
- (5) Nonstructural stormwater management strategies.
- (a) To the maximum extent practicable, the standards in Sections 150-61.B.(7) and 150-61.B.(8) shall be met by incorporating nonstructural stormwater management strategies set forth at Section 150-61.B.(5) into the design. The applicant shall identify the nonstructural measures incorporated into the design of the project. If the applicant contends that it is not feasible for engineering, environmental, or safety reasons to incorporate any nonstructural stormwater management measures identified in Section 150-61.B.(5).(b) below into the design of a particular project, the applicant shall identify the strategy considered and provide a basis for the contention.
  - (b) Nonstructural stormwater management strategies incorporated into site design shall:
    - [1] Protect areas that provide water quality benefits or areas particularly susceptible to erosion and sediment loss;
    - [2] Minimize impervious surfaces and break up or disconnect the flow of runoff over impervious surfaces;
    - [3] Maximize the protection of natural drainage features and vegetation;
    - [4] Minimize the decrease in the "time of concentration" from pre-construction to post construction. "Time of concentration" is defined as the time it takes for runoff to travel from the hydraulically most distant point of the watershed to the point of interest within a watershed;
    - [5] Minimize land disturbance including clearing and grading;
    - [6] Minimize soil compaction;

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- [7] Provide low-maintenance landscaping that encourages retention and planting of native vegetation and minimizes the use of lawns, fertilizers and pesticides;
- [8] Provide vegetated open-channel conveyance systems discharging into and through stable vegetated areas;
- [9] Provide other source controls to prevent or minimize the use or exposure of pollutants at the site, in order to prevent or minimize the release of those pollutants into stormwater runoff. Such source controls include, but are not limited to, as follows:



- [a] Site design features that help to prevent accumulation of trash and debris in drainage systems, including features that satisfy Section 150-61.E.(11).(a);
  - [b] Site design features that help to prevent discharge of trash and debris from drainage systems;
  - [c] Site design features that help to prevent and/or contain spills or other harmful accumulations of pollutants at industrial or commercial developments; and
  - [d] When establishing vegetation after land disturbance, applying fertilizer in accordance with the standards established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules.
- (c) Any land area used as a nonstructural stormwater management measure to meet the performance standards in Sections 150-61.B.(7) and 150-61.B.(8) shall be dedicated to a government agency, subjected to a conservation restriction filed with the appropriate County Clerk's office, or subject to an approved equivalent restriction that ensures that measure or an equivalent stormwater management measure approved by the reviewing agency is maintained in perpetuity.
  - (d) Guidance for nonstructural stormwater management strategies is available in the New Jersey Stormwater Best Management Practices Manual.
- (6) Standards for structural stormwater management measures.
    - (a) Structural stormwater management measures shall be designed to take into account the existing site conditions, including, for example, environmentally critical areas, wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone).
    - (b) Structural stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure as appropriate, and shall have parallel bars with one-inch (1") spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third (1/3) the width of the diameter of the orifice or one-third (1/3) the width of the weir, with a minimum spacing between bars of one-inch and a maximum spacing between bars of six inches. In addition, the design

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- of trash racks must comply with the requirements of Section 150-61.D.(2).
- (c) Structural stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement.
- (d) At the intake to the outlet structure for a stormwater management basin, the orifice size shall be a minimum of two and one-half inches in diameter.
- (e) Stormwater management basins shall be designed to meet the minimum safety standards for stormwater management basins at Section 150-61.D.
- (f) Where detention or retention facilities are deemed necessary, they shall accommodate site runoff generated from two-year, ten-year and one-hundred-year storms considered individually, unless the detention or retention basin is classified as a dam, in which case the facility must also comply with the Dam Safety Standards, N.J.A.C. 7:20. These design storms shall be defined as either a twenty-four-hour Type III storm using the rainfall distribution recommended by the U.S. Soil Conservation Service (such as Technical Release Number 55) or as

the estimated maximum rainfall for the estimated time of concentration of runoff at the site when using a design method such as the Rational Method. Runoff greater than that occurring from the one-hundred-year, twenty-four-hour storm will be passed over an emergency spillway. For purposes of computing runoff, lands in the site shall be assumed, prior to development, to be in good condition (if the lands are wooded), or, with conservation treatment (if the land is cultivated), regardless of conditions existing at the time of computation.

- (g) Detention facilities shall be located as far horizontally from surface water and as far vertically from groundwater as is practicable.
- (h) Detention facilities shall not intercept the post-development groundwater table, where practicable.
- (i) Only ½ of the area devoted to detention or retention facilities shall be considered nonimpervious surfaces in calculating the maximum percentages as set forth in other sections of this chapter. The area devoted shall be the area encompassed by the depth of water to the emergency spillway plus one foot.
- (j) Eight inch thick anti-seep collars are to be installed along outlet pipes. Such collars shall be constructed of reinforced concrete with minimum Number 5 bars, each way, and three inches of cover. A minimum of two anti-seep collars shall be provided on the outlet pipes.
- (k) Where applicable, a concrete cradle shall be provided for outlet pipes.
- (l) All principal outlet structures shall be concrete block, precast reinforced concrete, or cast in place reinforced concrete. All construction joints are to be watertight. All construction shall be in conformance with New Jersey Department of Transportation standard specifications.
- (m) Suitable channel lining shall be placed downstream of principal outlets as necessary to prevent scour and erosion. Such lining shall conform to the criteria contained in Standards for Soil Erosion and Sediment Control in New Jersey published by the New Jersey State Soil Conservation Committee.
- (n) Emergency spillways.

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- [1] Emergency spillways shall be suitably lined and shall comply with criteria contained in the Standards for Soil Erosion and Sediment Control.
- [2] Maximum velocities in emergency spillways shall be checked based on the velocity of the peak flow in the spillway resulting from the routed one-hundred-year storm Emergency Spillway Hydrograph. Where maximum velocities exceed those contained in the Standards for Soil Erosion and Sediment Control in New Jersey suitable lining of the emergency spillway and its downstream slope shall be provided.
- (o) Dams and embankments.
- [1] The minimum top widths of all dams and embankments are listed below. These values have been adopted from the Standards for Soil Erosion and Sediment Control in New Jersey published by the New Jersey State Soil Conservation Committee.

#### MINIMUM TOP WIDTHS

Height (feet)	Top Width (feet)
0 to 15	10
15 to 20	12
20 to 25	14

- [2] The design top elevation of all dams and embankments after all settlement has taken place shall be equal to or greater than the maximum water surface elevation in the basin resulting from the routed five-hundred-year storm Freeboard Hydrograph. Therefore, the design height of the dam or embankment, defined as the vertical distance from the top down to the bottom of the deepest cut, shall be increased by the amount needed to ensure the design top elevation will be maintained following all settlement. This increase shall not be less than 5%. Where necessary, the Engineer shall require consolidation tests of the undisturbed foundation soil to more accurately determine the necessary.
- [3] All earth fill shall be free from brush, roots, and other organic material subject to decomposition.
- [4] Cutoff trenches are to be excavated along the dam or embankment centerline to impervious subsoil or bedrock.
- [5] The fill material in all earth dams and embankments shall be compacted to at least 95% of the maximum density obtained from compaction test performed by the appropriate method in ASTM D698.
- [6] The top of bank for facilities constructed in cut and the toe of slope for facilities constructed in fill shall be located no closer than 15 feet to an existing or proposed property line.
- [7] Detention basins shall be seeded, attractively buffered and landscaped, and designed as to minimize propagation of insects, particularly mosquitoes. All landscaping and buffering shall be approved by the Township. No trees or shrubs shall be permitted on slopes or banks for facilities constructed in fill. All detention and retention basins with

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permanent dry weather pools of water shall have a water depth to minimize propagation of mosquitoes and be provided with mechanical aeration or other approved means to maintain water quality.

- (p) Detention facilities in flood hazard areas. There will be no detention basins in the floodplain except for those onstream and shall comply with all applicable regulations under the Flood Hazard Control Act, N.J.S.A. 58:16A-50 et seq.
- (q) Detention facilities in freshwater wetlands. Detention basins located in freshwater wetlands may be allowed only in accordance with the Freshwater Wetlands Protection Act, N.J.S.A. 13:98-1 et seq., and any rules adopted pursuant thereto.
- (r) New Jersey Department of Environmental Protection, Division of Coastal Resources approval.
- [1] All projects containing stream encroachment within the flood hazard area and one-hundred-year floodplain, at locations, having a drainage area of over 50 acres and all "Projects of Special Concern" as defined in N.J.A.C. 7:13-5, are subject to the approval of NJDEP, Division of Coastal Resources.
- [2] All projects containing a drainage area over 50 acres must establish the one-hundred-year floodplain zone in accordance with N.J.A.C. 7:13-1.8.
- (s) Stormwater management measure guidelines are available in the New Jersey Stormwater Best Management Practices Manual. Other stormwater management measures may be utilized provided the design engineer

- demonstrates that the proposed measure and its design will accomplish the required water quantity, groundwater recharge and water quality design and performance standards established by Section 150-61.B of this ordinance.
- (t) Manufactured treatment devices may be used to meet the requirements of Section 150-61.B of this ordinance, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the New Jersey Department of Environmental Protection.
  - (7) Erosion control, groundwater recharge and runoff quantity standards.
  - (a) This subsection contains minimum design and performance standards to control erosion, encourage and control infiltration and groundwater recharge, and control stormwater runoff quantity impacts of major development.
  - [1] The minimum design and performance standards for erosion control are those established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq. and implementing rules.
  - [2] The minimum design and performance standards for groundwater recharge are as follows:
  - [a] The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section 150-61.C, either:  
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Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or  
Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.

- [b] This groundwater recharge standard does not apply to projects subject to Section 150-61.B.(7).(a).[2].[c] below.
- [c] The following types of stormwater shall not be recharged:  
Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and  
Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.
- [d] The design engineer shall assess the hydraulic impact on the groundwater table and design the site so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table so as to cause surface ponding, flooding of

basements, or interference with the proper operation of subsurface sewage disposal systems and other subsurface structures in the vicinity or downgradient of the groundwater recharge area.

- [3] In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section 150-61.C, complete the following:
  - [a] Design stormwater management measures so that the post-construction peak runoff rates for the 2, 10 and 100 year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed.
  - (b) Any application for a new agricultural development that meets the definition of major development at Section 150-7 shall be submitted to the appropriate Soil Conservation District for review and approval in accordance with the requirements of this section and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For the purposes of this section, "agricultural

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development" means land uses normally associated with the production of food, fiber and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacturing of agriculturally related products.

- (c) For the purposes of this section "Major Development" shall mean any development resulting in a land disturbance of 5,000 sf or more.
- (8) Stormwater runoff quality standards.
  - (a) Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff by 80 percent of the anticipated load from the developed site, expressed as an annual average. Stormwater management measures shall only be required for water quality control if an additional ¼ acre of impervious surface is being proposed on a development site. The standard to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollution Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this standard. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 1. The calculation of the volume of runoff may take into account the implementation of non-structural and structural stormwater management measures.

Table 1: Water Quality Design Storm Distribution			
Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
0	0.0000	65	0.8917
5	0.0083	70	0.9917

10	0.0166	75	1.0500
15	0.0250	80	1.0840
20	0.0500	85	1.1170
25	0.0750	90	1.1500
30	0.1000	95	1.1750
35	0.1330	100	1.2000
40	0.1660	105	1.2250
45	0.2000	110	1.2334
50	0.2583	115	1.2417
55	0.3583	120	1.2500
60	0.6250		

- (b) For purposes of TSS reduction calculations, Table 2 below presents the presumed removal rates for certain BMPs designed in accordance with the New Jersey Stormwater Best Management Practices Manual. TSS reduction shall be calculated based on the removal rates for the BMPs in Table 2 below. Alternative removal rates and methods of calculating removal rates may be used if the design engineer provides

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- (c) documentation demonstrating the capability of these alternative rates and methods to the review agency. Documentation supporting an alternative rate or method of calculating the removal rate shall be provided to the reviewing agency for review and approval.
- (d) If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (AXB)/100$$

Where

R = total TSS percent load removal from application of both BMPs, and

A = the TSS percent removal rate applicable to the first BMP

B = the TSS percent removal rate applicable to the second BMP

Table 2: TSS Removal Rates for BMPs	
Best Management Practice	TSS Percent Removal Rate
Bioretention Systems	90
Constructed Stormwater Wetland	90
Extended Detention Basin	40-601
Infiltration Structure	80
Manufactured Treatment Device	See N.J.A.C. 7:8-5.7.(d)
Sand Filter	80
Vegetative Filter Strip	60-80
Wet Pond	50-902

1. Final rate based upon detention time, in accordance with Chapter 9 of the New Jersey Stormwater Best Management Practices Manual.
2. Final rate based upon pool volume and detention time, in accordance with Chapter 9 of the New Jersey Stormwater Best Management Practices Manual.
- (d) If there is more than one onsite drainage area, the 80 percent TSS removal rate shall apply to each drainage area, unless the runoff from the subareas converge on site in which case the removal rate can be demonstrated through a calculation using a weighted average.
- (e) Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include nonstructural strategies and structural measures that optimize nutrient removal while still achieving the performance standards in Sections 150-61.B.(7) and 150-61.B.(8).
- (f) Additional information and examples are contained in the New Jersey Stormwater Best Management Practices Manual, which may be obtained from the New Jersey Department of Environmental Protection.

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- (g) In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
- C. Calculation of stormwater runoff and groundwater recharge.
  - (1) Stormwater runoff shall be calculated in accordance with the following:
    - (a) The design engineer shall calculate runoff peak rate of discharge using one of the following methods:
      - [1] The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in the NRCS National Engineering Handbook Section 4 – Hydrology and Technical Release 55 – Urban Hydrology for Small Watersheds for areas greater than 50 acres; or
      - [2] The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The peak rate of runoff for areas of up to 50 acres shall be calculated by the Rational Method of derivatives. The equation for the Rational Method is as follows:

$$Q_p = CIA$$

where:

$Q_p$  = the peak runoff rate in cubic feet per second (CFS)

$C$  = the runoff coefficient

$I$  = the average rainfall intensity in inches per hour (IN/HR), occurring at the time of concentration  $t_c$  (MIN)

$T_c$  - the time of concentration in minutes (MIN)

A = the size of the drainage area in acres (AC)

- (b) In calculating the site runoff to be accommodated by a structural stormwater management measure, the method to be used is a tabular hydrograph method as presented in the TR Number 55 (SCS method) as supplemented and amended.
- (c) For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology at Section 150-61.C.(1).(a).[1] and the Rational and Modified Rational Methods at Section 150-61.C.(1).(a).[2]. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land

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use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

- (d) In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts that may reduce pre-construction stormwater runoff rates and volumes.
  - (e) In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS Technical Release 55 – Urban Hydrology for Small Watersheds and other methods may be employed.
  - (f) If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.
  - (g) Time of concentration (tc) shall be calculated with the procedures outlined in Chapter 3 of Technical Release (TR) Number 55, Urban Hydrology for Small Watersheds, U.S. Department of Agriculture, NRCS, Soil Conservation Series, as supplemented and amended (SCS method).
  - (h) When using the Rational Method, rainfall intensity as a function of duration and storm recurrence frequency shall be based upon geographically appropriate data as depicted in the plates in Technical Paper Number 25, Rainfall Intensity-Duration-Frequency Curves, U.S. Department of Commerce, Weather Bureau, as supplemented and amended. Intensity curves may be based on local rainfall frequency data, i.e., New Brunswick, Old Bridge or Trenton Curves, where available. In all instances, a minimum time of concentration of five minutes should be used.
  - (i) The size of the drainage area shall include on-site and off-site lands contributing to the design point of analysis.
- (2) Groundwater recharge may be calculated in accordance with the following:



- (a) The New Jersey Geological Survey Report GSR-32 A Method for Evaluating Ground-Water Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; or at New Jersey Geological Survey, 29 Arctic Parkway, P.O. Box 427 Trenton, New Jersey 08625-0427; (609) 984-6587.
- D. Safety standards for stormwater management basins.
  - (1) This section sets forth standards to protect public safety through the proper design and operation of stormwater management basins. This subsection applies to any new stormwater management basin.
  - (2) Standards for trash racks, overflow grates and escape provisions.

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- (a) A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet structure for the stormwater management basin to ensure proper functioning of the basin outlets in accordance with the following:
  - [1] The trash rack shall have parallel bars, with no greater than six inch spacing between the bars.
  - [2] The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure.
  - [3] The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack.
  - [4] The trash rack shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 lbs/ft sq.
- (b) An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following standards:
  - [1] The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
  - [2] The overflow grate spacing shall be no less than two inches across the smallest dimension.
  - [3] The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 lbs./ft sq.
- (c) For purposes of this Section 150-61.D.(2).(c), escape provisions means the permanent installation of ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management basins. Stormwater management basins shall include escape provisions as follows:

- [1] If a stormwater management basin has an outlet structure, escape provisions shall be incorporated in or on the structure. With the prior approval of the reviewing agency identified in Section 150-61.D.(3), a freestanding outlet structure may be exempted from this requirement.
- [2] Safety ledges shall be constructed on the slopes of all new stormwater management basins having a permanent pool of water deeper than two and one-half feet. Such safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above

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the permanent water surface. See Section 150-61.D.(4) for an illustration of safety ledges in a stormwater management basin.

- [3] In new stormwater management basins, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than 3 horizontal to 1 vertical. One section of the embankment shall have a flatter slope that will allow access to the bottom on the basin by maintenance vehicles.
- (4) Design waiver or exemption from safety standards.
- (a) A design waiver or exemption from the safety standards for stormwater management basins may be granted only upon a written finding by the appropriate reviewing agency (municipality, county or Department) that the design waiver or exemption will not constitute a threat to public safety.
- (5) Illustration of safety ledges in a new stormwater management basin.

12" TO 18" ABOVE WATER  
SURFACE

E. Standards for stormwater collection and conveyance systems.

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- (1) All Site Development Stormwater Plans for subdivisions, site plans and individual residential lots shall include provisions for safely and satisfactorily controlling stormwater runoff, drainage and stream flows in a manner that will not adversely affect existing and proposed properties, both upstream and downstream of the site. When developing a site in an aquifer outcrop area or other area affecting same, the Site Development Stormwater Plan shall include provisions for on-site recharge of underground formations.
- (2) All streets shall be provided with stabilized swales, catch basins and pipes where they may be necessary for proper surface drainage. The standards in this subsection shall not be satisfied by the construction of dry wells. The system shall be adequate to carry off or store the stormwater and natural drainage water that originates within the development boundaries and that which originates beyond the development boundaries and passes through the development as permitted under this subsection. No stormwater runoff of natural drainage water shall be so diverted as to overload existing drainage systems or create flooding or the need for additional drainage structures on other lands without proper and approved provisions being made for taking care of these conditions, including off-tract improvements.

- (3) The stormwater collection and conveyance system shall not impact adjoining properties and upstream and downstream drainage facilities.
- (4) The stormwater collection and conveyance systems shall be designed utilizing NJDEP Technical Manual for Stream Encroachment Permits of May 1993 as amended, and shall be designed for a storm with a frequency of one in 25 years, except major drainage channels, detention basins and other facilities as deemed necessary by the Township Engineer shall be designed for a storm with a frequency of one in 100 years.
- (5) All drainage channels and detention ponds shall be designed with a one-foot freeboard.
- (6) Pipe sizing shall be determined by the Manning formula with "n=0.013" for concrete pipe and "n=0.22" for corrugated metal pipe. The pipe size determined to be adequate for the runoff computed shall be increased by at least one standard pipe size for all pipes less than 30 inches in size for the type pipe being used in order to provide adequate allowance for the normal accumulation of sediment and debris in the storm drainage system. The minimum pipe size in a surface water drainage system shall not be less than 15 inches in diameter.
- (7) Catch basins shall be located at all intersections and located in streets with inlets on both sides of the street at intervals of 400 feet or such distances as required to prevent the flow of surface water from exceeding 6.0 cubic feet per second at the catch basin inlet at the design storm frequency. Access manholes shall be placed at maximum five-hundred-foot intervals throughout the system and at pipe junctions where there are catch basins.

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- (8) Dished or valley gutters on municipal streets shall be permitted only at intersections involving minor streets. Dished gutters shall not be permitted on arterial or collector roads.
- (9) Storm drainpipes running longitudinally along streets shall not be located under curbing.
- (10) Storm drainpipes shall be reinforced concrete pipe, except where aluminum culvert pipe is permitted as hereinafter specified, and shall be the size specified and laid to the exact lines and grades approved by the Township Engineer. Reinforced concrete pipe shall conform to the ASTM specifications C76-61 with a minimum pipe strength of Class III Wall B. Reinforced concrete pipe shall be provided with "O" ring joint gaskets. In locations other than within the right-of-way of public roads where, because of severe topographic conditions or the desire to minimize the destruction of trees and vegetation, corrugated aluminum pipe, pipe arch, or helical corrugated pipe may be used upon approval of the Township Engineer. The material used shall comply with the Standard Specifications for Corrugated Aluminum Alloy Culvert Pipe and pipe arch AASHTO designation M-2 11-65. The minimum thickness of the aluminum pipe to be used shall be: less than twenty-four-inch diameter or equivalent, 0.075 inches (14 gauge); forty-nine-inch but less than seventy-two-inch diameter or equivalent, and larger, 0.164 inches (8 gauge).

- (11) Catch basins shall be designed in accordance with the standard details of the New Jersey Department of Transportation.
- (a) Site design features identified under Section 150-61.B.(5).(b).[9] shall comply with the following standards to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 150-61.E.(11).(a).[3] below.
- [1] Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
  - [a] The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
  - [b] A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas,

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bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

- [2] Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
- [3] Inlet curb pieces shall have floatable debris retention openings with educational messages describing the discharge of stormwater to receiving water bodies integrally and permanently cast into the top surface.
- [4] This standard does not apply:
  - [a] Where the review agency determines that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
  - [b] Where flows from the water quality design storm as specified in Section 150-61.B.(8).(a) are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
    - A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
    - A bar screen having a bar spacing of 0.5 inches.

- [c] Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars, to the elevation of the water quality design storm as specified in Section 150-61.B.(8).(a); or
- [d] Where the reviewing agency determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

- (12) Manholes shall be precast concrete and shall be constructed in accordance with the New Jersey Department of Transportation Standard details.
- (13) Poured concrete headwalls or precast flared end pipe sections shall be constructed at the point of discharge of all storm drains, in accordance with the latest New Jersey Department of Transportation standard plans and specifications. They shall include precast, cast in place or grouted riprap energy dissipaters at the discharge point.
- (14) Vegetation. All drainage ditches, swales, channels, diversion dikes and berms shall be stabilized with vegetation in accordance with the standards for Soil Erosion and Sediment Control in New Jersey with specific regard to slope, velocity and other applicable design factors.
- (15) Exemption from the standards. If Cranbury Township grants a waiver from the standards set forth above, a written report shall be made to the  
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County detailing the nature of the waiver, the change(s) requested, and an explanation of the reasons for the decision.

- (16) All blocks and lots in all subdivisions shall be graded to secure proper drainage away from buildings and to prevent the collection of pools of stormwater. Finished floor elevation and exterior grading shall be shown on all lots. Lot grading shall be a minimum of 2% and a maximum of one vertical to three horizontal.
- (17) In all subdivisions, land subject to periodic or occasional flooding (flood hazard areas) shall not be platted for residential occupancy nor for any other purpose where such flooding may endanger life or property or which would aggravate the flood hazard. Such land shall be considered for open spaces or other similar uses.
- (18) Drainage structures which are located on State or County highway rights-of-way shall be approved by the State or County Highway Engineer's office, and a letter from that office indicating such approval shall be directed to the Secretary of the Board, and either shall be received prior to the final plat approval or such approval shall be conditioned upon the receipt of such letter.
- (19) Where a subdivision is traversed by a watercourse, surface or underground drainage way or drainage system, channel or stream, there shall be a dedicated drainage right-of-way easement to the Township conforming substantially to the lines of such watercourse, and such further width or construction, or both, as shall be adequate to accommodate expected stormwater runoff and maintenance activities in the future.

- (20) Surface stormwater drainage may be carried in open ditches outside the right-of-way of the local streets or other suitable drainage structures within the right-of-way as may be approved by the Township Engineer. Stormwater drainage facilities, underground pipeline inlets, catch basins, manholes, culverts, swales and other drainage facilities shall be designed with sufficient capacity to accommodate anticipated runoff of at least a twenty five-year storm at such time as the drainage basin in which the development is located is fully developed. This standard may be increased when in the opinion of the Township Engineer circumstances warrant such increase.

F. Site Development Stormwater Plan standards.

- (1) Submission of Site Development Stormwater Plan.
- (a) Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section 150-61.F.(3) below as part of the submission of the applicant's application for subdivision or site plan approval.
- (b) The applicant shall demonstrate that the project meets the standards set forth in this ordinance.

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- (c) The applicant shall submit ten (10) copies of the materials listed in the checklist for site development stormwater plans in accordance with Section 150-61.F.(3) of this ordinance.
- (2) Site Development Stormwater Plan Approval. The applicant's Site Development Stormwater Plan shall be reviewed as a part of the subdivision or site plan review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the engineer retained by the Planning and/or Zoning Board (as appropriate) to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.
- (3) Checklist requirements. The following information shall be required:
- (a) Topographic base map. The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals for topography with slopes greater than 3% or showing 1-foot contour intervals for topography with slopes less than or equal to 3%. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.
- (b) Environmental site analysis. A written and graphic description of the natural and man-made features of the site and its environs. This description should include a

discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

- (c) Project description and site plan(s). A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings, roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high ground water elevations. A written description of the site plan and justification of proposed changes in natural conditions may also be provided.
- (d) Land use planning and source control plan. This plan shall provide a demonstration of how the goals and standards of Section 150-61 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater

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recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

- (e) Stormwater management facilities map. The following information, illustrated on a map of the same scale as the topographic base map, shall be included:
  - [1] Total area to be paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
  - [2] Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.
- (f) Calculations.
  - [1] Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section 150-61.B of this ordinance.
  - [2] A soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.
- (g) Maintenance and repair plan. The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 150-61.G.
- (h) Waiver from submission requirements. The municipal official or board reviewing an application under this ordinance may, in consultation with the municipal engineer, waive submission of any of the requirements in Sections 150-61.F.(3).(a) through 150-61.F.(3).(f) of this ordinance when it can be



demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

G. Maintenance and Repair.

(1) Applicability.

- (a) Projects subject to review as in Section 150-61 of this ordinance shall comply with the standards in Sections 150-61.G.(2) and 150-61.G.(3).

(2) General Maintenance

- (a) The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.

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- (b) The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). Maintenance guidelines for stormwater management measures are available in the New Jersey Stormwater Best Management Practices Manual. If the maintenance plan identifies a person other than the developer (for example, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's agreement to assume this responsibility, or of the developer's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
- (c) Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project.
- (d) If the person responsible for maintenance identified under Section 150-61.G.(2).(b) above is not a public agency, the maintenance plan and any future revisions based on Section 150-61.G.(2).(g) below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
- (e) Preventative and corrective maintenance shall be performed to maintain the function of the stormwater management measure, including repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of nonvegetated linings.
- (f) The person responsible for maintenance identified under Section 150-61.G.(2).(b) above shall maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders.
- (g) The person responsible for maintenance identified under Section 150-61.G.(2).(b) above shall evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed.
- (h) The person responsible for maintenance identified under Section 150-61.G.(2).(b) above shall retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the

maintenance plan and the documentation required by Sections 150-61.G.(2).(f) and 150-61.G.(2).(g) above.

- (i) The requirements of Sections 150-61.G.(2).(c) and 150-61.G.(2).(d) do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency.
- (j) In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or the municipal engineer's designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the

Cranbury Township Ordinance # 04-06-09

(Continued)

responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person.

- (k) Responsibility for operation and maintenance of stormwater management facilities, including periodic removal and disposal of accumulated particulate material and debris, shall remain with owner or owners of the property with permanent arrangements that it shall pass to any successive owner, unless assumed by a government agency. If portions of the land are to be sold, legally binding arrangements shall be made to pass the basic responsibility to successors in title. These arrangements shall designate for each project the property owner, governmental agency, or other legally established entity to be permanently responsible for maintenance, hereinafter in this section referred to as the responsible person.
  - (l) The applicant shall enter into an agreement with the Township (or County) to ensure the continued operation and maintenance of the facility. This agreement shall be in a form satisfactory to the Township Attorney, and may include, but may not necessarily be limited to, personal guarantees, deed restrictions, covenants, and bonds, in cases where property is subdivided and sold separately, a homeowners association or similar permanent entity should be established as the responsible entity, absent an agreement by a governmental agency to assume responsibility.
- [1] An applicant seeking approval for construction of a stormwater management facility shall provide the funds necessary to permanently maintain the facility. The amount necessary to permanently maintain the facility shall be calculated by the Planning Board Engineer based upon current estimates for maintenance with an annual increase of 4%. The Planning Board Engineer shall also assume that the investment will yield a return equal to the ninety-day certificate of deposit interest rate paid by the First Fidelity Bank or its successor on the date the calculation is made.
- [2] The form of security for the maintenance of the facility shall be approved by the municipal attorney and finance officer.
- (m) Dedication of facilities. Where required, the stormwater management facilities shall be dedicated to the Township of Cranbury as a drainage easement or right-of-way. Detention or retention facility dedication shall be 15 feet from the top of bank of facilities in cut and the toe of slope of facilities constructed in fill, inlet and outlet piping and maintenance access shall be contained within thirty-foot-wide, minimum, drainage utility easements. No relocation, construction or reconstruction shall take place within the area of the easement, nor shall any

structures be located within such area, nor shall any action be taken which may alter or impair the effectiveness of present or future drainage facilities without prior approval from the Township Committee.

- (3) Nothing in this section shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

Cranbury Township Ordinance # 04-06-09  
(Continued)

- H. Building drain connections to stormwater collection and conveyance system.
  - (1) All proposed dwellings and buildings with a basement subject to groundwater or surface water flooding shall be provided a connection to a storm drainage system for the purposes of utilizing this connection for possible discharge of sump pump and/or gravity basement drains. The connections to the storm sewer shall meet the following requirements:
    - (a) Each dwelling unit or other building with a basement shall be provided a four-inch diameter (minimum) connection to be located between curb and sidewalk and five feet towards the center of the lot from the edge of the interior side of the driveway depressed curb.
    - (b) Lots fronting roads with existing or proposed storm sewers will be permitted to provide a connection in accordance with the Township's standard Basement Drainage Connection Detail.
    - (c) Lots fronting roads with no existing or proposed storm sewers shall also be required to provide a connection for basement drainage by providing a separate drainage system which shall discharge to an approved storm sewer, drainage ditch, seepage pit or by other methods approved by the Township Engineer. Seepage pits for individual dwelling will not be permitted when a storm sewer, drainage ditch, or other stormwater system is within 200 feet of the subject property unless otherwise approved by the Township Engineer.
    - (d) Where it is necessary to construct a separate drainage system to accommodate flows from gravity basement drains or sump pumps due to absence of existing or proposed storm sewers, the Township's standards listed in the Basement Drainage System Design Criteria shall be utilized and a design prepared by a licensed professional engineer shall be submitted for approval. Plans for all minor or major subdivisions and site plans are required to include provisions for a drainage connector from each lot.
- I. Surface water runoff control plan standards for residential lots.
  - (1) All blocks and lots in all subdivisions shall be graded to secure proper drainage away from building and to prevent the collection of pools of stormwater. Finished floor elevation and exterior grading shall be shown on all lots.
  - (2) At the time of application to the Township Construction Code Official for a building permit for any building within either an individual lot or part of an approved subdivision or site plan, the applicant shall submit a Surface Water Runoff Control Plan to the Township Engineer for review and approval.
  - (3) At a minimum, the following items are required as part of the Surface Water Runoff Control Plan:
    - (a) An outbound survey, inclusive of all easements, of the property on which the structure is proposed, as prepared by a New Jersey licensed land surveyor,

indicating the name and the development and/or applicant, Tax Map, lot, block and street address. The scale of the survey shall be no smaller than one inch equals 30 feet.

Cranbury Township Ordinance # 04-06-09  
(Continued)

- (b) Footprint of the proposed dwelling unit.
  - (c) The basement elevation, garage elevation, and finished floor elevation of the proposed building, based upon USC&GS MSL data. Spot grades should be provided at all corners of the building footprint and garage apron.
  - (d) Data showing that the lowest finished floor of the structure, including the basement, is at least one foot above the delineated one-hundred-year flood elevation of any watercourse on or near the property, or one foot above the seasonal high water table, as determine by test pit, soil boring, or investigative work done in conjunction with an on-site individual sewage disposal system.
  - (e) Provision of sufficient, existing and proposed contour lines and spot elevations to show the direction of surface water runoff, yard slopes greater than 2% or less than one vertical to three horizontal, elimination of any standing water conditions, and grading which will not adversely impact adjoining properties.
  - (f) The location of proposed potable water and sanitary sewer services or potable water supply well and on-site individual sewage disposal system, as approved by the Board of Health, including all fill and grading required to install the disposal system. The applicant shall show the location of any proposed sump pump pit and the point of discharge on the property.
  - (g) Driveway location.
- (4) Any or all of the above standards may be waived by the Township Engineer, as site conditions may require. An acceptable Surface Water Runoff Control Plan report must be issued by the Township Engineer prior to the issuance of a building permit by the Township Construction Code Official.

J. Mitigation Plans.

- (1) Any developer requesting a waiver, variance, or exemption from the design and standards of N.J.A.C. 7:8-5 or of Section 150-61 of the Cranbury Township Ordinance must propose specific mitigation measures to offset the deficit created by granting the waiver, variance, or exemption. The applicant shall identify the unique, site-specific conditions that prevent strict compliance with the standards of Section 150-61.
- (2) The proposed Mitigation Plan must apply to the specific project site drainage area for which the waiver, variance, or exemption is requested.
- (3) A mitigation measure for the performance standards from which the waiver, variance, or exemption is requested should be applied as mitigation for the immediate areas downstream or upstream of the project site.
- (4) The Cranbury Township Planning and Zoning Boards must, through their review and approval process, ensure that any waivers, variances, or exemptions granted are suitably mitigated according to these principles.
- (5) The application of mitigation actions at off-site locations beyond the drainage area of the project site, for which the waiver, variance, or

exemption was granted, must also comply with the Regional Stormwater Management Plan for the Raritan Basin Regional Stormwater Management Planning Area or any other regional stormwater management plans.

- (6) The applicant's engineer of record, who must be licensed in the State of New Jersey, must provide scientific and engineering evidence and support for the request for a specific waiver, variance, or exemption from N.J.A.C. 7:8-5 and Section 150-61 of the Cranbury Township Ordinance.
- (a) The applicant must provide evidence of unique, site-specific conditions that prevent the project from strictly complying with the performance standards of Section 150-61. All applicants requesting a waiver, variance, or exemption shall provide evidence to the Cranbury Township Planning and/or Zoning Boards, including design plans and supporting calculations, of alternate methods for development in an attempt to comply with the standards of Section 150-61.
- (b) The engineer of record must also provide a Mitigation Plan specifying the mitigation measures with supporting scientific and engineering calculations, specifications, and drawing details, and all else necessary as required by the Cranbury Township Planning and Zoning Boards, to offset the requested waiver, variance, or exemption.
- (c) The Cranbury Township Planning Board and/or Zoning Board may request additional information, calculations, or documentation from the applicant to further review the applicant's request for mitigation and Mitigation Plans.
- (7) Mitigation measures shall be in accordance with the standards of the Cranbury Township Ordinance, N.J.A.C. 7:8-5, the NJDEP New Jersey Stormwater Best Management Practices Manual, and the Regional Stormwater Management Plan for the Raritan Basin Regional Stormwater Management Planning Area or any other regional stormwater management plans.
- (8) A maintenance plan shall be prepared with all Mitigation Plans to ensure proper long-term operation and maintenance of all mitigation measures, and all maintenance plans for mitigation measures shall comply with the standards in subsection 150-61.G.
- K. Penalties. Any person who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the penalties set forth in section 150-104 of the Land Development Ordinance of the Township of Cranbury.
- L. Severability. If the provisions of any section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.
- M. Effective date. This ordinance will take effect immediately upon approval by the Middlesex County Planning Board or sixty (60) days from receipt of the ordinance by the County Planning Board should it fail to act.

Cranbury Township Ordinance # 04-06-09

(Continued)

Following its introduction on first reading, the Clerk will refer a copy of this ordinance to the Cranbury Township Planning Board for review, as required by the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

Ordinance  
Second Reading

Cranbury Township Ordinance # 03-06-07

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 03-06-07, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY AMENDING AN ORDINANCE FIXING THE SALARIES, WAGES AND BENEFITS FOR VARIOUS OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF CRANBURY PROVIDING FOR THE MANNER OF PAYMENT THEREOF AND RATIFYING SALARIES AND PAYMENTS TO EMPLOYEES AND OFFICIALS PREVIOUSLY PAID", was presented for second reading and final adoption. The Ordinance was published in the Cranbury Press, posted on the Township Bulletin Board and copies were available to the public. The Mayor opened the public hearing on the Ordinance. Mayor Panconi spoke, indicating in the Ordinance, Ms. Marabello, C.F.O., was being given a raise, due to an agreement which was made when she was appointed the C.F.O. the previous year. No one else wished to speak, so the hearing was declared closed. On motion by Mr. Stannard, seconded by Ms. Stave, the Ordinance was adopted by a vote:

Ayes: (Panconi  
(Stannard  
(Stave  
(Stout

Abstain: (None  
Absent: (Wittman

Nays: (None

SECTION 1. The following salaries, wages and fees shall be paid to the various Township Officials and employees of the Township of Cranbury as hereinafter specified, effective, January 1, 2006 unless otherwise noted:

Resolutions  
Consent Agenda

Mr. Stout requested Resolution # R 04-06-054, be voted on separately so that the item could be discussed before adopting said Resolution.

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

Ayes: (Panconi  
(Stannard  
(Stave  
(Stout

Abstain: (None  
Absent: (Wittman

Nays: (None

Cranbury Township Resolution # R 04-06-048

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 04-06-049

**NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the township of Cranbury that the following salaries, wages and fees**

**shall be paid to the various Township Officials and employees of the  
Township of Cranbury effective January 1, 2006 unless otherwise noted:**

<b><u>POSITION</u></b>	<b><u>SALARY OR HOURLY RATE</u></b>
Mayor	\$ 7,436.52
Township Committee	\$ 5,949.58
Township Administrator	\$ 27,965.18
Township Clerk	\$ 70,528.90
Tax Assessor	\$ 46,794.28
Tax Collector	\$ 54,600.00
Chief of Police	\$ 114,058.36
Zoning Officer	\$ 8,485.10
Construction/Building Sub-Code Official	\$ 13,217.10
Building Inspector (f/t)	\$ 52,316.42
Building Inspector (p/t)	\$ 30,266.60
Plumbing Inspector	\$ 28,013.44
Electrical Inspector	\$ 34,346.00
Fire Sub-code Official	\$ 6,022.90
Fire Official	\$ 21,602.26
Assistant Fire Inspector	\$ 3,461.12
Superintendent of Public Works	\$ 51,053.08
Sewer Superintendent	\$ 26,771.84
Recycling Coordinator	\$ 8,924.50
Animal Control Officer	\$ 7,019.22
Director of Recreation	\$ 11,843.52
Summer Recreation Supervisor**	PER MEMO
Summer Programs Employees**	PER MEMO
Summer Program Director	PER MEMO
Chief Financial Officer/Treasurer	\$46.23 per hour
Deputy Treasurer/Sewer Collector	\$20.28 per hour
Technical Assistant/Alternate Deputy Registrar	\$21.09 per hour
Assessing Clerk/Payroll Clerk	\$21.63 per hour
Police Secretary	\$18.72 per hour
School Crossing Guards **	PER MEMO
Accounts Payable/Purchasing Clerk	\$21.33 per hour
Planning Administrative Officer/Zoning Board Secretary	\$25.31 per hour
Public Works Assistant/HPAC Secretary	\$20.55 per hour
Building Inspector II	\$25.75 per hour
Deputy Registrar/Office Assistant	\$20.28 per hour

Fire Inspector	\$2.57 per hour
Public Works Foreman	\$24.64 per hour
Heavy Equipment Operator/Public Works	\$21.35 per hour
Sewer Assistant	\$20.65 per hour
Public Works Mechanic	\$20.31 per hour
Public Works Employees **	PER MEMO
Small Animal Control Officer**	\$.89 per hour
Municipal Alliance Program Providers	\$25.00 per hour
Part-Time Clerical Help *	\$12.48 per hour
Other Part-Time Board Secretaries*	\$17.68 per hour
Emergency Services Incentive-First Aid Responder	\$1.00 per hour
Emergency Services Incentive-Fire Responder	\$1.00 per hour

\* Set by memo of the Administrator

\*\* Set by memo of the Department head with approval of the Administrator

I hereby certify that the above is a true copy of a resolution adopted by the Township Committee of the Township of Cranbury at a regular meeting held on April , 2006.

Kathleen R. Cunningham Clerk

#### Cranbury Township Resolution # R 04-06--050

WHEREAS, there were 757 motor vehicle fatalities in New Jersey in 2005; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a safety belt; and

WHEREAS, use of a safety belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety by safety usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide "Click It or Ticket" safety belt mobilization from May 22 – June 4, 2006 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; and

Cranbury Township Resolution # R 04-06-050  
(Continued)

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the safety belt usage rate in the State from the current level of 86% to 88%; and

WHEREAS, a further increase in safety belt usage in New Jersey will save lives on our roadways;



BE IT RESOLVED, that the Township Committee of the Township of Cranbury declares its support for the "Click It or Ticket" safety belt mobilization both locally and nationally from May 22 – June 4, 2006 and pledges to increase awareness of the mobilization and the benefits of safety belt use.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk, hereby certify that this is a true copy of a Resolution which was adopted by the Township Committee on April 17, 2006.

\_\_\_\_\_  
Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 04-06-051

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 2006 in the sum of \$2,607.05 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 \$2,607.05 be and the same is hereby appropriated under the caption Drunk Driving Enforcement.

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 # R 04-06-051  
(Continued)

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 April 17, 2006.

\_\_\_\_\_  
Kathleen R Cunningham, Township Clerk

Cranbury Township Resolution # R 04-06-052

WHEREAS; Mr. George Osipavitch, of 34 Hagerty Lane, sent a payment in February, 2006 to pay his sewer bill and also sent a separate payment in March, 2006 to the sewer department in error, which was meant to be paid to his homeowner's association; and

WHEREAS; there exists a credit balance on the customer's sewer account in the amount of \$215.00; and

WHEREAS; a refund for the credit balance should be issued for the following Cranbury Township Resident:

<u>Block</u>	<u>Lot</u>	<u>Street Address</u>	<u>Resident Name</u>	<u>Refund</u>
20.12	6	34 Hagerty Lane	George Osipavitch	\$215.00

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, that the above Sewer overpayment be refunded to Mr. George Osipavitch.

CERTIFICATION

I, Kathleen R. Cunningham, Township Clerk of the Township of Cranbury, hereby certify that this is a true copy of a resolution adopted at a regular meeting on April 17, 2006.

\_\_\_\_\_  
Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 04-06-053

WHEREAS, the County of Middlesex has received a grant from the State of New Jersey to be used for alcoholism and drug abuse prevention and education services to Middlesex County residents, and

WHEREAS, the County desires to provide the sum of \$6,566.00 from State funds, to be Township of Cranbury, including \$4966.00 to be used for related municipal alliance related activities, \$1,000 for related equipment and \$600 to be used for municipal alliance training activities; and

WHEREAS, the Township of Cranbury must provide matching funds in the amount of \$6,566.00 cash and in-kind services to receiving the aforementioned sum; and

WHEREAS, an agreement is necessary to set forth the terms and conditions under which the County will pay said monies;

NOW, THEREFORE, in consideration of the payment of said monies and the said services to be rendered,

BE IT RESOLVED, by the Township Committee of the Township of Cranbury, that the Mayor and Clerk are hereby authorized and directed to execute on behalf of the Township of

Cranbury Township Resolution # R 04-06-053  
(Continued)

Cranbury the Agreement attached hereto as Exhibit A or other substantially similar agreement as has been approved, and to undertake any and all acts necessary to effectuate the terms hereof.

CERTIFICATION

I, Kathleen R. Cunningham, Township Clerk, hereby certify that this is a true copy of a Resolution which was adopted at a regular meeting on April 17, 2006.

\_\_\_\_\_  
Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 04-06-055

TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

A RESOLUTION RESCINDING RESOLUTION # R-08-05-168 AND PERMANENTLY STAYING THE DEMOLITION OF THE "UPDIKE POTATO BARN"

WHEREAS, the Township is the owner of a .978± - acre parcel located on Cranbury Neck Road and designated on the Cranbury Township Tax Map as Block 21, Lot 4.11 ("Barn Park"); and

WHEREAS, there are three barns presently existing on Barn Park, including a 1930s barn referred to as the "potato barn"; and

WHEREAS, in the summer 2005, Township staff and consultants determined that the potato barn was in a state of disrepair and recommended that the barn be demolished; and

WHEREAS, on August 29, 2005 the Township Committee of the Township of Cranbury accordingly passed Resolution R-08-05-168, which authorized and directed the Township to demolish the potato barn; and

WHEREAS, several residents came to the Township Committee's December 12, 2005 regular meeting and expressed their interest in saving the barn; and

WHEREAS, to that end, they appealed to the Township to stay its demolition temporarily to allow them sufficient time to explore the possibility of saving it; and

WHEREAS, a plan has since been developed to save and restore the potato barn; and

WHEREAS, the Township Committee finds that it is presently in the public's interest that the potato barn not be demolished;

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, that implementation of Resolution R-08-05-168, which authorizes and directs the demolition of the potato barn located on Block 21, 4.11, be and is hereby rescinded.

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 April 17, 2006.

\_\_\_\_\_  
Kathleen R. Cunningham, Township Clerk

Cranbury Township Resolution # R 04-06-056

RESOLUTION OF THE TOWNSHIP OF CRANBURY  
MIDDLESEX COUNTY, NEW JERSEY

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

WHEREAS, N.J.S.A. 40:55D-71(b) authorizes the Township of Cranbury (TOWNSHIP) to employ, contract for and fix the compensation of its legal counsel and other experts and staff as it deems appropriate for the period January 1, 2006 to December 31, 2006; and

WHEREAS, TOWNSHIP wishes to contract for the services of professional legal counsel for the period January 1, 2006 to December 31, 2006, without a "fair and open process" as defined by P.L. 2004, c. 19, the "Local Unit Pay-to-Play Law"; and

WHEREAS, TRISHKA WATERBURY and MASON, GRIFFIN & PIERSON, P.C. (COUNSEL) have submitted a proposal dated November 21, 2005, offering to provide professional legal services to the TOWNSHIP for the period January 1, 2006 to December 31, 2006, in accordance with the rates and costs set forth in the contract attached hereto; and

WHEREAS, TOWNSHIP has determined that the value of the contract over the above-referenced period will exceed \$17,500.00; and

WHEREAS, COUNSEL has completed and filed with the TOWNSHIP a Campaign Contributions Affidavit as required by N.J.S.A. 19:44A-20.2 *et seq.* certifying that COUNSEL has not made any prohibited contributions to a candidate committee or municipal committee representing the elected officials of the Township of Cranbury; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, authorizes the award of this contract without public or competitive bidding on the basis that it is a professional services agreement; and

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for this purpose.

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

1. The Township of Cranbury hereby appoints TRISHKA WATERBURY and MASON, GRIFFIN & PIERSON, P.C. to provide all legal services to the TOWNSHIP for the period January 1, 2006 to December 31, 2006.

2. The Mayor and Clerk are hereby authorized and directed to enter into a Professional Services Agreement with the aforementioned attorneys pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.* This contract is being awarded without competitive bidding as a Professional Services Contract under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons authorized by law to practice a recognized profession and whose practice is regulated by law.

3. A copy of this Resolution, the Certification of Contract Value, the Campaign Contributions Affidavit, and the executed Agreement shall be placed on file in the office of the Township Clerk.

Cranbury Township Resolution # R 04-06-056  
(Continued)

4. A brief notice of this action shall be published in a newspaper of general circulation in the Township of Cranbury within ten (10) days of its passage.

#### 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 Committee of the Township of Cranbury at a regular meeting duly held on April 17, 2006.

\_\_\_\_\_  
Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 04-05-057

RESOLUTION OF THE TOWNSHIP OF CRANBURY  
MIDDLESEX COUNTY, NEW JERSEY

A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT FOR ACCOUNTING AND  
AUDITING SERVICES TO JOHN J. MALEY, JR., CPA, RMA

WHEREAS, N.J.S.A. 40:55D-71(b) authorizes the Township of Cranbury (TOWNSHIP) to employ, contract for and fix the compensation of its experts and staff as it deems appropriate for the period January 1, 2006 to December 31, 2006; and

WHEREAS, TOWNSHIP wishes to contract for the services of a professional accountant to audit the Township's financial statements as of and for the year that ended on December 31, 2005, without a "fair and open process" as defined by P.L. 2004, c. 19, the "Local Unit Pay-to-Play Law"; and

WHEREAS, JOHN J. MALEY, JR., CPA, RMA ("AUDITOR") has submitted a proposal dated March 29, 2006, offering to provide the above-referenced professional services in accordance with the rates and costs set forth in the contract attached hereto; and

WHEREAS, TOWNSHIP has determined that the value of the contract over the above-referenced period will exceed \$17,500.00; and

WHEREAS, AUDITOR has completed and filed with the TOWNSHIP a Campaign Contributions Affidavit as required by N.J.S.A. 19:44A-20.2 *et seq.* certifying that AUDITOR has not made any prohibited contributions to a candidate committee or municipal committee representing the elected officials of the Township of Cranbury; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, authorizes the award of this contract without public or competitive bidding on the basis that it is a professional services agreement; and

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for this purpose.

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

1. The Township of Cranbury hereby appoints JOHN J. MALEY, JR., CPA, RMA to provide professional accounting and auditing services to the Township through December 31, 2006.

Cranbury Township Resolution # R 04-06-057  
(Continued)

2. The Mayor and Clerk are hereby authorized and directed to enter into a Professional Services Agreement with the aforementioned accountant pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. This contract is being awarded without competitive bidding as a Professional Services Contract under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons authorized by law to practice a recognized profession and whose practice is regulated by law.

3. A copy of this Resolution, the Certification of Contract Value, the Campaign Contributions Affidavit, and the executed Agreement shall be placed on file in the office of the Township Clerk.

4. A brief notice of this action shall be published in a newspaper of general circulation in the Township of Cranbury within ten (10) days of its passage.

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 Committee of the Township of Cranbury at a regular meeting duly held on April 17, 2006.

\_\_\_\_\_  
Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 04-06-058

TOWNSHIP OF CRANBURY  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

A RESOLUTION CONCERNING THE REDEMPTION OF SECURITIES

WHEREAS, it recently came to light that the Township of Cranbury is in possession of certain securities issued by Prudential Insurance Company; and

WHEREAS, the Township must dispose of such securities; and

WHEREAS, the Fiscal Affairs Law, N.J.S.A. 40A:5-1 *et seq.*, sets forth a procedure for redeeming securities.

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

- (1) The Township through its appropriate staff and officials is hereby authorized and directed to redeem any securities that it current holds in accordance with the provisions of the Fiscal Affairs Law, N.J.S.A. 40A:5-15.1d;
- (2) The Township through its appropriate staff and officials is further authorized and directed to undertake any and all other acts as may be prudent and necessary to effectuate the terms hereof.

CERTIFICATION

I, Kathleen R. Cunningham, Clerk of the Township of Cranbury, do hereby certify that the foregoing is a true and correct copy of a resolution passed by the Township Committee of the Township of Cranbury at its meeting held on April 17, 2006.

\_\_\_\_\_  
Kathleen R. Cunningham, Clerk

Resolution

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

Ayes: (Panconi  
(Stannard  
(Stave  
(Stout

Abstain: (None  
Absent: (Wittman

Nays: (None

Cranbury Township Resolution # R 04-06-054

TOWNSHIP OF CRANBURY

COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

A RESOLUTION AUTHORIZING EXECUTION OF A USE AND OCCUPANCY AGREEMENT FOR THE RESTORATION AND PRESERVATION OF THE BARNS LOCATED ON BARN PARK (BLOCK 21, LOT 4.11).

WHEREAS, the Township owns a .978± - acre parcel located on Cranbury Neck Road and designated as Block 21, Lot 4.11 on the Cranbury Township Tax Map ("Barn Park" or "Property"); and

WHEREAS, there are three structures presently existing on the Property referred to as the wagon house, corncrib, and potato barn (collectively, "the barns"); and

WHEREAS, the barns are historic farming structures, the oldest of which was constructed in the late 19<sup>th</sup> century, as more fully set forth in the report entitled "Inspection of Outbuildings at the Updike Farm," prepared by the New Jersey Barn Company, dated January 31, 2004 and available for public inspection in the Office of the Township Clerk; and

WHEREAS, all three barns are in various states of disrepair and require preservation and restoration; and

WHEREAS, the Lions Club ("LIONS") is a non-profit organization with tax-exempt status pursuant to State and federal law that comprises members who volunteer their efforts to perform various charitable community services in Cranbury Township; and

WHEREAS, the Cranbury Historical and Preservation Society ("CHPS") is a non-profit organization with tax-exempt status pursuant to State and federal law that comprises members who volunteer their efforts to further interest in and knowledge of the history of Cranbury, promote, support and encourage the beautification of the lands and buildings located in Cranbury, and restore and preserve Cranbury's historic buildings and sites; and

WHEREAS, LIONS and CHPS have each expressed a desire to help the Township preserve the wagon house, corncrib, and potato barn, and to that end have volunteered their services, including any labor and materials needed to preserve and restore the barns; and

WHEREAS, to facilitate LIONS and CHPS's contribution, the TOWNSHIP wishes to grant LIONS and CHPS immediate access to Barn Park;

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

Cranbury Township Resolution # R 04-06-054  
(Continued)

1. The Mayor and Clerk are hereby authorized and directed to execute the use and occupancy agreement attached hereto as Exhibit A, or such other and substantially similar use and occupancy agreement as has been approved as to form and substance by the Township Attorney acting in consultation with the Mayor and Township Administrator.
2. The Township through its appropriate staff and officials is hereby further authorized and directed to undertake any and all such acts and execute any and all such other documents as may be necessary and appropriate to effectuate the terms hereof.

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 Committee of the Township of Cranbury at a meeting duly held on April 17, 2006.

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Kathleen R. Cunningham, Clerk

#### Reports from Township staff and professionals

Ms. Waterbury, Township Attorney, indicated on February 7, 2006, H.P.C. had denied an application which had been filed by Cheryl and John Corr, 99 North Main Street. Under the then Ordinance governing H.P.C.'s decisions, appeals had to be sent to the Township Committee.

#### Reports from Township staff and professionals(Continued)

Ms. Waterbury, Township Attorney (cont'd)

Ms. Waterbury indicated the Corrs had not provided the material as required to the Township Clerk and the time had elapsed to do so. Ms. Waterbury asked the Township Committee's

#### Reports from Township staff and professionals(Continued)

permission to have the Clerk send the Corrs and their attorney a letter indicating the appeal could not be heard due to not meeting the deadline. The Township Committee members directed the Clerk to send a letter, giving the Corrs ten (10) days from April 17, 2006 to deliver the material pertaining to the appeal.

#### Reports from Township Boards and Commissions

There were no reports.

#### Work Session

##### a. Update from Police Chief Jay Hansen on Police Department

Police Chief Jay Hansen gave his monthly report to the Township on the Police Department. Chief Hansen reported there had been 51 citations issued in the Village area—14 for speeding, Route 130 corridor, 39 citations, 4 of which were for speeding, and East of Route 130, 10 citations, 1 for speeding. Chief Hansen also reported on the overtime for the preceding month and indicated the excessive amount was due to special details and ongoing investigations. Chief Hansen stated he expected the overtime for the subsequent months to decrease. Chief Hansen also reported he was unable to get the bike patrol out in March, however, expected to do so in April. Ms. Stave asked how the number of citations compared to the previous month. Chief Hansen indicated in February the number had been ten more. Ms. Stave indicated she had been receiving numerous complaints from residents concerning the number of large trucks coming through the Village area in the very early morning hours. Ms. Stave also commended the immediacy of handling a recent arrest of robbery suspects and having an increased

#### Work Session (Continued)

##### a. Update from Police Chief Jay Hansen on Police Department (cont'd)

visibility in the Township, making its residents feel safe. Mr. Stout asked that the Chief, at next month's meeting, give a status report on activity in the Township's parks. Mr. Stannard complimented the Chief on the bike patrol being visible at the recent Easter Egg Hunt at Village Park. Ms. Beth Veghte, Recreation Chairperson, mentioned the new bike bath behind "dirt mountain" and asked that the police patrol the area to make sure everything is ok. Ms. Veghte also asked that the Cranbury Brook Preserve be patrolled as well and asked to be notified should anything be broken.

##### b. Discussion of objection by Fair Share Housing Center to petition for certification for Cranbury Township's Third Round Affordable Housing Plan

Ms. Waterbury, Township Attorney, discussed with the Township Committee, the objection which had been filed by the Fair Share Housing Center and COAH's rules regarding same. Ms. Waterbury asked the Township Committee to designate a mediation team to attend the mediation



sessions. Ms. Waterbury indicated there had to be four members, one was required to be a Planning Board member. The Township Committee deferred this item until the next meeting on April 24, 2006 and asked the Township Attorney to find out if an alternate could be designated.

c. Discussion of stream corridor ordinance

The Township Committee discussed the need for a stream corridor ordinance. Mr. Stout indicated the Environmental Commission was strongly interested in the Township Committee adopting such an ordinance and indicated since the Environmental Resources Inventory was now in place, the ordinance should be adopted. The Township Committee directed the Township Attorney to move forward and prepare the ordinance for introduction and adoption some time in May.

d. Discussion of redefining open space within the Township for various recreational needs

The Township Committee discussed and reviewed the proposed ordinance for redefining open space within the Township to meet various needs for long-term planning of a recreational master plan for the Township. The Township Committee members agreed to introduced the Ordinance at the April 24, 2006 meeting.

e. Discussion of re-zoning a portion of the KHovanian site for affordable housing

Mark Berkowsky, C.H.A., indicated the Township needed to re-zone to a RML, a portion of the KHovanian site for the Township's Third Round Affordable Housing. Ms. Waterbury, Township Attorney, indicated she and the Township Planner had been working on an ordinance for introduction by the Township Committee. Ms. Waterbury indicated once the Township Committee introduces the ordinance, it would need to be referred to the Planning Board and the Clerk indicated she would have to notice those residents within 200 feet of the proposed zone, which would take some time, between the introduction and final adoption of the ordinance.

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 Panconi appointed Kirstie Venanzi to the Library Board of Trustees for a term of five years. Mayor Panconi reported he would not be holding Mayor's hours on Saturday, April 22, 2006, due to a prior commitment. Mayor Paconi also reported there had been an incident in Town Hall the previous week and he had scheduled a Personnel subcommittee meeting for Thursday, April 20, 2006 at 5:00 p.m. and would be giving a more detailed report at a later date.

Resolution

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

Ayes: (Panconi  
(Stannard  
(Stave  
(Stout

Abstain: (None  
Absent: (Wittman

Nays: (None

Cranbury Township Resolution # R 04-06-047

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; Status of Feibus v. Township of Cranbury;

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: April 17, 2006

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

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

Nays: (None

On motion by Ms. Stave, seconded by Mr. Stout and unanimously carried, the meeting adjourned at 8:26 p.m.

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Kathleen R. Cunningham, Clerk