

TOWNSHIP COMMITTEE MEETING
September 12, 2016

The Township Committee Meeting of the Township of Cranbury was held at 7:00 p.m. in the Town Hall Meeting Room. Answering present to the roll call were Township Committee members: Glenn Johnson, Susan Goetz, Jay Taylor and Mayor Dan Mulligan. Dave Cook arrived at 7:55 p.m. Also present were Bill Tanner, Township Engineer; Denise Marabello, Township Administrator/Director of Finance; and Kathleen R. Cunningham, Municipal Clerk/Assistant Administrator. Mayor Mulligan led in the salute to the flag, and Ms. Cunningham gave the following Open Public Meetings Act statement:

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

- (1) Posted on December 1, 2015 on the Bulletin Board of the Municipal Office at 23-A North Main Street, Cranbury, New Jersey and remains posted at that location.
- (2) Communicated to the Cranbury Press, Home News Tribune and Trenton Times on December 1, 2015.
- (3) Filed on December 1, 2015 at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey, posted on the Township's web site and remains on file for public inspection.
- (4) Sent to those individuals who have requested personal notice.

Resolution

Mayor Mulligan announced a Resolution to thank Dr. Michael Young, Township Veterinarian, for his many years of service to Cranbury Township. Mr. Taylor stated Dr. Young owned Cranbury Animal Hospital, served on the Board of Health and ran the Township's rabies clinics. Mayor Mulligan read the Resolution for the record. On motion by Mr. Taylor, seconded by Ms. Goetz, the following Resolution was adopted by vote:

Ayes: (Goetz (Johnson (Taylor (Mulligan	Abstain: (None Absent: (Cook
Nays: (None	

CRANBURY TOWNSHIP RESOLUTION # R 09-16-142

WHEREAS, in 1985 Dr. Michael Young graduated North Carolina State University with a B.S. in Animal Sciences; and

WHEREAS, in 1989 Dr. Young graduated North Carolina State University with a Doctorate in Veterinary Medicine; and

WHEREAS, in 1992 Dr. Young moved to New Jersey full time; and

WHEREAS, in 1994 Dr. Young moved to Cranbury Township and opened "Prospect Animal Hospital"; and

WHEREAS, in 2007 Dr. Young bought "Windsor Animal Hospital" and combined the two (2) practices to form "Cranbury Animal Hospital; and

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CRANBURY TOWNSHIP RESOLUTION # R 09-16-142
(Continued)

WHEREAS, throughout the years, Dr. Young has attended to many residents' pets as well as other pets from the surrounding towns; and

WHEREAS, in 1990's Dr. Young was appointed by the Cranbury Board of Health as the Township's Veterinarian and was responsible for conducting the rabies clinics, (donating his time) and in later years, donated the syringes and took care of disposing of the medical waste, managing human and animal rabies exposures cases and consulting on public health issues involving animals; and

WHEREAS, Dr. Young has now decided to retire to Virginia and enjoy his later years; and

WHEREAS, the Township of Cranbury would like to thank Dr. Young for his years of volunteering his services and time to the residents of Cranbury;

NOW, THEREFORE BE IT RESOLVED, by the Township of Cranbury, Dr. Young is wished many enjoyable and healthy years of retirement in Virginia;

BE IT FURTHER RESOLVED, a duly authenticated copy of this Resolution is given to Dr. Young with heartfelt thanks and gratitude.

Township Committee Minutes of August 22, 2016

On motion by Mr. Taylor, seconded by Mr. Johnson and unanimously carried (with Mr. Cook being absent and Mayor Mulligan abstaining), the Township Committee Minutes of August 22, 2016 were adopted.

Reports and Communications

--Mayor Mulligan

Mayor Mulligan reported the Township, Public Works and Emergency Services were very prepared for Hurricane Hermine, which ended up being a "non-event." Mayor Mulligan reported residents in the Evans Tract are requesting a sound barrier wall. He reported Ms. Goetz and the Township Engineer are working on the issue. Ms. Goetz reported a letter has been sent to the DOT; however, there has been no response yet.

Mayor Mulligan reported Cranbury Day was well attended despite the hot, humid weather. He stated many people participated in the morning race and there seemed to be more varied vendors. Mayor Mulligan announced the construction on Applewood Court is moving along slowly as the Township works through drainage and easement issues.

Mayor Mulligan reported money had been put in the Budget for holiday decorations for Main Street. He asked the Township Committee their thoughts on what the Township should do. Mr. Taylor suggested talking with the Business Association and the Woman's Club to see what they are doing. Ms. Goetz suggested reaching out to the Downtown Beautification Subcommittee to advise them of the holiday decoration budget and to request their feedback. Mayor Mulligan suggested having decorations hung across the street, and Ms. Goetz recommended having decorations down by the Lake. Mayor Mulligan asked Mr. Taylor and Ms. Goetz to bring ideas to the October 10th TC Meeting.

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Reports and Communications
--Members of Committee

--Mr. Taylor

Mr. Taylor reported a family in the Township who lost a child last year would like to donate swings to the tot playground at Heritage Park. Mr. Taylor stated after looking at the playgrounds at Heritage, Millstone and Village Park, he realized there is no access for handicapped children. He stated much of the equipment toddlers can use is suitable for disabled children. Mr. Taylor stated Mr. Ken Jacobs, Recreation Director looked at the area, and probably one (1) tree will have to be removed to accommodate the equipment. Mr. Jacobs had stated that the wood chips are ADA compliant, and Mr. Tanner, Township Engineer agreed; however, the wood chips would have to be compacted to allow access for wheelchairs.

Mr. Taylor reported Ms. Linda Scott, Recycling Coordinator is looking into e-waste options for the Township.

Mayor Mulligan clarified for the playground equipment, the family will donate the swings, and additional funding may be needed for access to the park.

--Mr. Johnson

Mr. Johnson reported he attended a Planning Board Meeting, and the Developer of the Affordable Housing Project on Route 130 dropped off their preliminary site plans.

--Ms. Goetz

Ms. Goetz reported she attended the same Planning Board Meeting. She reported the Developer for the Hagerty Cheney Property has closed on the deal and has obtained all the permits. She stated they are ready to begin demolition shortly.

Ms. Goetz reported the Lake was treated again with herbicide, and stated hopefully it will be the final treatment for this year. She stated the weeds were very aggressive and they continue to grow. She stated it is suitable to apply herbicide this late in the season because of that growth. She stated next year a more aggressive herbicide will be applied earlier in the season, however, instead of not being able to use the water for three (3) days, the Lake water will be unusable for three (3) weeks.

Reports and Communications

--Subcommittees

There were no reports from Subcommittees.

Reports and Communications

--Department Heads

There were no reports from Department Heads.

Follow-up Item

There were no follow-up items. Mayor Mulligan requested that Holiday Decorations be added to the next agenda.

Agenda Additions/Changes

Ms. Cunningham reported Cranbury Township Ordinance 08-16-18 on the Agenda this evening for Second Reading will be carried over to the September 26th Township Committee Meeting. Mayor Mulligan inquired why the Ordinance was being carried over, and Ms. Marabello stated there is still an easement issue.

Public Comment - For Agenda Items

Mayor Mulligan opened the meeting to public comment for items on the Agenda, and hearing none, closed the public comment portion of the meeting.

TOWNSHIP COMMITTEE MEETING
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Ordinances
First Reading

Cranbury Township Ordinance 09-16-19

An Ordinance entitled, Cranbury Township Ordinance # 09-16-19, "AN ORDINANCE RE-APPROPRIATING \$130,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN VARIOUS CAPITAL ORDINANCES IN AND BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY," was introduced for first reading. On motion by Mr. Johnson, seconded by Mr. Taylor, the Ordinance was passed on first reading by vote:

Ayes:	(Goetz	Abstain:	(None
	(Johnson	Absent:	(Cook
	(Taylor		
	(Mulligan		

Nays: (None

Public Hearing: September 26, 2016 at 7:00 p.m.

Section 1. Pursuant to N.J.S.A.40A:2-39, it is hereby determined that the following proceeds of obligations originally made available pursuant to the bond ordinance listed below are no longer necessary for the following purpose:

Ordinance No.	Description	Amount to be re-appropriated
04-13-11	Acquisition of Water Tower Property	\$130,000.00

Section 2. pursuant to N.J.S.A.40A:2.39, it is hereby determined that \$130,000.00 of the proceeds of obligations referred to above are hereby re-appropriated to provide \$30,000.00 for the Public Works Vehicles and Equipment Ordinance No. 06-05-16 and \$100,000.00 for the Sewer Emergency Costs Ordinance No. 04-15-05.

Section 3. The capital budget of the Township of Cranbury is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Cranbury Township Ordinance 09-16-20

An Ordinance entitled, Cranbury Township Ordinance # 09-16-20, "AN CAPITAL ORDINANCE OF THE TOWNSHIP OF CRANBURY AUTHORIZING THE ARCHITECTURE COSTS FOR THE AFFORDABLE HOUSING FAMILY UNITS ON THE INGERMAN SITE BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$100,000.00 FROM CRANBURY TOWNSHIP'S AFFORDABLE HOUSING TRUST FUND TO COVER THE COST THEREOF," was introduced for first reading. On motion by Mr. Johnson, seconded by Mr. Taylor, the Ordinance was passed on first reading by vote:

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Cranbury Township Ordinance 09-16-20
(Continued)

Ayes: (Goetz
(Johnson
(Taylor
(Mulligan

Abstain: (None
Absent: (Cook

Nays: (None

Public Hearing: September 26, 2016 at 7:00 p.m.

BE IT ORDAINED by the Township Committee of the Township of Cranbury as follows:

SECTION 1: There is hereby approved as a capital project within the Township of Cranbury not to exceed the costs noted below:

Project/Purpose	Cost
Architecture Costs for the Family Units on the Ingerman Site	\$100,000.00

SECTION 2: There is hereby appropriated from the Cranbury Township's Affordable Housing Trust Fund the sum of \$100,000.00 to cover the cost of the capital projects as described in Section 1 hereof.

SECTION 3: This Ordinance shall take effect upon final adoption and publication according to law.

SECTION 4: The capital budget of the Township of Cranbury is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of Local Government Services is on file with the clerk and is available there for public inspection.

Ordinances
Second Reading

Cranbury Township Ordinance # 07-16-16

A motion to enter an Ordinance entitled, # 07-16-14, "AN ORDINANCE PROVIDING FOR THE ACQUISITION OF A STORM WATER DRAINAGE AND UTILITY EASEMENT AND RIGHT-OF-WAY OVER, UPON AND WITHIN BLOCK 26, LOT 29.22 ON THE CRANBURY TOWNSHIP TAX MAP," was presented for second reading and final adoption. This Ordinance was carried over from the August 8th Township Committee Meeting. The Ordinance was published in the Cranbury Press, posted on the Township's website, posted on the Township Bulletin Board and copies were available to the public. The Mayor opened the public hearing on the Ordinance. No one present wished to speak, so the hearing was declared closed. Mayor Mulligan requested a motion to adopt, and hearing none, the Ordinance died for lack of motion.

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Cranbury Township Ordinance # 07-16-17

A motion to enter an Ordinance entitled, # 07-16-17, "AN ORDINANCE PROVIDING FOR THE ACQUISITION OF A STORM WATER DRAINAGE AND UTILITY EASEMENT AND RIGHT-OF-WAY OVER, UPON AND WITHIN BLOCK 26, LOT 29.21 ON THE CRANBURY TOWNSHIP TAX MAP BY EMINENT DOMAIN," was presented for second reading and final adoption. This Ordinance was carried over from the August 8th Township Committee Meeting. The Ordinance was published in the Cranbury Press, posted on the Township's website, posted on the Township Bulletin Board and copies were available to the public. The Mayor opened the public hearing on the Ordinance. No one present wished to speak, so the hearing was declared closed. Mayor Mulligan requested a motion to adopt, and hearing none, the Ordinance died for lack of motion.

Resolutions
Consent Agenda

Mayor Mulligan asked the Township Committee if there were any questions or comments on the Consent Agenda. Hearing no questions or comments, he requested a motion to adopt Consent Resolutions. On a motion by Mr. Taylor, seconded by Mr. Taylor and unanimously carried, the following Resolutions were adopted by vote:

Ayes:		Abstain: (None
	(Goetz	Absent: (Cook
	(Johnson	
	(Taylor	
	(Mulligan	
Nays:	(None	

Cranbury Township Resolution # R 09-16-133

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 09-16-134

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE
FOR CRANBURY BRICKYARD RESTORATION

WHEREAS, by letter dated August 16, 2016 Cranbury Brickyard has requested the release of their performance guarantee previously posted with the Township in accordance with Planning Board approval and

WHEREAS, the Township Engineer has, in a letter dated August 16, 2016 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Bond	\$186,300.00
Cash Deposit	\$ 20,700.00

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

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Cranbury Township Resolution # R 09-16-134
(Continued)

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

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

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

- (a) T&M Associates, Glenn Gerken
- (b) Township Chief Financial Officer
- (c) Cranbury Brickyard

Cranbury Township Resolution # R 09-16-135

A RESOLUTION AUTHORIZING THE REDUCTION OF A PERFORMANCE GUARANTEE
FOR CRANBURY BRICKYARD – OFFSITE ROADWAY AND UTILITY IMPROVEMENT
BLOCK 10 LOT 10, BLOCK 12 LOT 1

WHEREAS, by an e-mail dated July 6, 2016, Cranbury Brickyard has requested the reduction of their performance guarantee previously posted with the Township in accordance with Planning Board approval and

WHEREAS, the Township Engineer has, in a letter dated August 15, 2016 (attached hereto as "Exhibit A") recommended that the performance guarantee be reduced and the amount that shall be **released** is as follows :

Performance Bond	\$	888,966.40
Cash Deposit	\$	98,774.20

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

Performance Bond	\$	380,985.60
Cash Deposit	\$	42,331.80

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

1. It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".
2. It hereby authorizes the reduction of performance guarantees set forth in the Township Engineer's letter referenced above.
3. The Township hereby accepts the public improvements, if any so designated pursuant to the Planning Board's approval.

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

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Cranbury Township Resolution # R 09-16-135
(Continued)

- (a) Township Engineer-Glenn Gerken
- (b) Township Chief Financial Officer
- (c) Cranbury Brickyard LLC

Cranbury Township Resolution # R 09-16-136

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE
FOR CRANBURY BRICKYARD – INTERIM SITE IMPROVEMENTS PHASE II
BLOCK 10 LOT 10

WHEREAS, by letter dated July 6, 2016 Cranbury Brickyard has requested the release of their performance guarantee previously posted with the Township in accordance with Planning Board approval and

WHEREAS, the Township Engineer has, in a letter dated August 16, 2016 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Bond	\$644,126.70
Cash Deposit	\$ 71,569.50

WHEREAS, the Township Engineer has stated a maintenance guarantee shall be posted with the Township for a period not to exceed two (2) years after final acceptance of the improvements in an amount not to exceed 15% of the cost of the improvement. The amount of the required maintenance guarantee to be posted with the Township is \$298,206.75, and the maintenance period shall be for a period of two years from September 12, 2016.

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

1. It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".
2. It hereby authorizes the release of performance guarantees set forth in the Township Engineer's letter referenced above.
3. The Township hereby accepts the public improvements, if any so designated pursuant to the Planning Board's approval.

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

- (a) T&M Associates, Glenn Gerken
- (b) Township Chief Financial Officer
- (c) Cranbury Brickyard

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Cranbury Township Resolution # R 09-16-137

A RESOLUTION APPROVING EMPLOYEE AND BOARD MEMBER HANDBOOK
AND PERSONNEL POLICY AND PROCEDURES MANUAL FOR
MANAGERIAL/SUPERVISORY EMPLOYEES

WHEREAS, it is the policy of the Township of Cranbury to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Cranbury Township Committee has determined that there is a need for an Employee and Board Member Handbook and Personnel Policies and Procedures Manual for Managerial/Supervisory Employees to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Cranbury Township Committee that the Employee and Board Member Handbook and the Personnel Policies and Procedures Manual for Managerial/Supervisory Employees attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that the Employee and Board Member Handbook shall apply to all Township officials, appointees, board members, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail;

BE IT FURTHER RESOLVED that the Personnel Policies and Procedures shall apply to all Managerial/Supervisory Township officials and employees. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail. In all other cases, these policies and procedures shall prevail;

BE IT FURTHER RESOLVED that the manuals are intended to provide guidelines covering public service by Township employees and are not contracts. The provisions of the manuals may be amended and supplemented from time to time without notice and at the sole discretion of the Cranbury Township Committee;

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Township shall operate under the legal doctrine known as "employment at will";

BE IT FURTHER RESOLVED that the Township Administrator and all managerial/supervisory personnel are responsible for these employment practices.

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Cranbury Township Resolution # R 09-16-138

WHEREAS, the Township of Cranbury has imposed certain requirements on Cranbury Brick Yard, LLC to widen and improve Hightstown-Cranbury Station Road, and to perform certain construction work adjacent to the property that Cranbury Brick Yard, LLC owns or is in the process of acquiring; and

WHEREAS, in order to complete said Project, as directed by the Township of Cranbury ("Grantee"), Cranbury Brick Yard, LLC and/or the Township will need to acquire title to, or easement rights over, certain portions of property in the vicinity of Cranbury Brick Yard's Property in order to facilitate the construction of the improvements, to accommodate changes to the road widths necessitated by the design of the improvement and/or to provide for certain utilities; and

WHEREAS, In order to facilitate the Project, the Grantor has previously granted easement rights to CBY and the Township over certain portions of property in the vicinity of CBY's Property, at the direction of the Township, pursuant to a Right-of-Way Easement Agreement dated November 15, 2015 and a Grading Agreement dated October 7, 2015; and

WHEREAS, CHAMBERLAIN & BARCLAY, INC. ("GRANTOR"), 2 Hightstown Cranbury Station Road, Cranbury, New Jersey 08512 owns Block 9, Lot 1.01, which will be affected by the Project; and

WHEREAS, in order to complete the Project, the Township will need to acquire title to, or easement rights over, additional portions of Grantor's Property, namely, an additional approximate 4,225 square feet of Block 9, Lot 1.01, in order to facilitate the construction of the improvements to accommodate changes to the road widths necessitated by the design of the improvements and/or to provide for certain utilities; and

WHEREAS, Grant or has signed an Agreement conveying to Grantee, a "non-exclusive right -of-way easement affecting Block 9, Lot 1.01;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury it hereby authorizes the Mayor and Clerk to execute the attached right Of Way Easement Agreement with Grantor affecting Block 9, Lot 1.01;

BE IT FURTHER RESOLVED this Agreement will be filed with the Middlesex County Clerk.

Cranbury Township Resolution # R 09-16-139

A Resolution Authorizing the Mayor and Township Administrator
to Endorse the Cranbury Public Library's Application
to the Planning Board for Preliminary and Final Site Plan Approval.

WHEREAS, the Cranbury Public Library would like to file an application to the Planning Board for preliminary and final site plan approval; and

WHEREAS, the application involves property owned by Cranbury Township; and

WHEREAS, the property in question is a 14.19 acre parcel located on Park Place West and designated as Block 23, Lot 14.03 on the Cranbury Township Tax Map; and

WHEREAS, the Municipal Land Use Law requires the owner's consent before the Planning Board can consider an application for development; and

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Cranbury Township Resolution # R 09-16-139
(Continued)

WHEREAS, the Township, as owner of the property in question, consents to the Cranbury Public Library's application.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury, that the Mayor and Township Administrator are hereby authorized to endorse the Cranbury Public Library's Application to the Planning Board for Preliminary and Final Site Plan Approval.

Cranbury Township Resolution # R 09-16-140

WHEREAS, the Township of Cranbury entered into a Memorandum of Understanding ("MOA") Agreement with Cranbury Housing Associates, Inc. dated June 12, 2006 to facilitate the construction of affordable housing on certain properties in Cranbury Township; and

WHEREAS, Cranbury Housing Associates, Inc. has advised that it has applied to 1st Constitution Bank (the Lender) for a \$5,825,000.00 Construction Loan convertible to a \$1,825,000.00 Term Loan (the "Loan") for the purposes of assisting CHA in the construction of the Project on Lot 3 in Block 26 on the Township of Cranbury Tax Assessment Map (the "Property"), on the sites addressed by the MOA; and

WHEREAS, the Lender, as a condition to the making of the Loan, requires assurances and representations from the Township and CHA as to the status of the MOA and the Property in the form of a Recognition and Estoppel Agreement; and

WHEREAS, by letter of April 12, 2016, the Township has confirmed its financial commitment to provide a \$4,000,000.00 financial commitment pursuant to a bond ordinance which funds will be utilized to pay down the Loan.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury it hereby authorizes the Mayor and Clerk to execute the attached Recognition and Estoppel Agreement by and between the Township of Cranbury, Cranbury Housing Associates, Inc. and 1st Constitution Bank.

Work Session

a). Plainsboro Road – Engineer's Estimate

Bill Tanner, Township Engineer discussed with the Township Committee his estimate for repairs to Plainsboro Road. Mayor Mulligan explained there are a number of flooding issues on Plainsboro Road and the Township is looking to extend the drainage to where the homes end on Plainsboro Road. Mayor Mulligan stated theoretically the entire road should be done; however, it is not possible financially.

Mr. Tanner reported this issue started with the question of how one (1) particular driveway's flooding could be addressed. He reported questions concerning other affected areas were then raised and stated multiple problems were uncovered, including flooded driveways and water not draining from the sides of the roadway. Mr. Tanner reported he presented a very rough plan at the last meeting, and the decision was made at that point to go forward and get additional information. Mr. Tanner further explained the problems and described the past measures that were taken to try to address the flooding. He stated they went out and

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Work Session

a). Plainsboro Road – Engineer's Estimate

took elevations, and checked the pipes to see if they could connect to improve drainage. Mr. Tanner stated all of the water is running to the west, and the goal is to have it flow to the east; however, there are some grade depths of 15 feet. He further described how the pipes would be integrated and stated after installation, the roadway would have to be paved the whole way down. Mr. Tanner explained East Windsor has agreed to clean out a section of pipes for approximately \$200. He stated the pipe can be cleaned; however, it needs to be cleaned periodically to keep it clean. Mr. Tanner explained where inlets would be installed. And itemized costs. He stated the costs per 100 feet vary due to the depth where the pipes will be installed. Mr. Tanner stated driveways will need to be replaced and the asphalt curb will need to be replaced. There will also be costs for traffic control. Mr. Tanner reported total construction costs, including 20% contingency costs, would be \$448,000. There would also be design and inspection costs.

Ms. Goetz inquired how long the project would take, and Mr. Tanner stated he figures it will take about five (5) weeks, weather dependent and not finding any problems when digging. Ms. Goetz inquired how residents would access the roadway once their driveways are opened up. Mr. Tanner stated they never block residents in and they always try to accommodate the residents. They will create parking. Ms. Goetz asked about trees, and Mr. Tanner stated he has not studied the trees yet; however, some roots may be in the way. Mayor Mulligan asked for the cost of paving the whole section instead of having two (2) patches. He asked if there would be more problems having patches of paving. Mr. Tanner stated the roadway would be patched and not be paved for at least a year anyway.

Mr. Cook arrived at 7:55 p.m.

Mr. Taylor asked Mr. Tanner if there were any other options, understanding that Mr. Tanner already did the Project as “bare bones.” Mr. Taylor stated the Township has tried other “fixes” over the years and there is still flooding in residents’ driveways. Mr. Cook stated it has always been an issue with flooding and pooling on the roadway. Ms. Goetz suggested having a residents’ meeting to advise them of the project. Mayor Mulligan stated if the Committee agrees to the plan, then at Budget time, it can be decided if the project should be put into the Capital Plan. He explained over \$3 million is currently needed for road repairs. He stated if the project becomes a reality, a meeting should be held with the residents.

Ms. Marilyn Mullen, North Main Street, inquired where the water will go once it gets to North Main Street. Mr. Tanner stated the Main Street system is much larger than what will be used on Plainsboro Road. Mr. Tanner stated he did not believe it would be too much flow for the Main Street system.

Mr. Frank Marlowe, North Main Street, stated when he drives on Plainsboro Road, the flooding only seems to be a few inches deep. He inquired if raising the roadway next time it is paved would be a more cost effective way. Mr. Tanner explained increasing the crown would cause more water to run into the yards on either side and while it would help in guiding the water, it will be the inlets in the pipe that will mitigate the flooding into front yards. Mr. Tanner stated raising the road is less expensive than \$500,000; however, it does not address the problem. Ms. Goetz stated the intent is to prevent water from coming into yards.

Mayor Mulligan asked Mr. Tanner if calculations for the Main Street disposal of the water need to be run. Mr. Tanner stated it should be looked at, and stated perhaps an easement on the farmland should be acquired. The Township Committee inquired about a timeline for

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Work Session

a). Plainsboro Road – Engineer's Estimate
additional information, and Mr. Tanner stated information should be available end October. Mayor Mulligan stated the information would be essential for budget time so decisions can be made. Mayor Mulligan stated in principal, the Committee is in agreement with the project and stated additional data is needed. He stated at budget time, the Committee will decide if the project should be added to the Township's Capital Plan.

b). Discussion on Requesting a Portion of Route 130 be Changed from "Rural Planning Area" to "Suburban Planning Area."

The Township Committee discussed a letter to the New Jersey Business Action Center Office for Planning Advocacy requesting a portion of Route 130 be changed from "Rural Planning Area" to "Suburban Planning Area." Mr. Cook explained the current classification limits the ability to monetize the area of Route 130 south of Old Trenton Road to the Cranbury Circle. He stated the Cranbury Service Station is currently located at the Circle; however, with the reclassification a convenience store as part of a gas station or some other type of business could be placed there. Mr. Cook clarified this reclassification only applies to this section of Route 130 and does not impact any other part of Cranbury east or west of Route 130. Mr. Tanner clarified because of the waste water management plan, everything that was south of the small brook could not get sewer service up until the latest modification to the waste water management system. Mr. Tanner stated that it is very clear from the information sent to him by the County, that all the properties in the "V" going north towards the residential properties has now been brought into the waste water management plan so they can now get sewer. Mr. Tanner stated the Township can now approach the State and say the Township has looked at this area from a planning issue and would like to raise the accessibility of the site. Currently there is no ability to put a commercial driveway from that property on to Route 130. Mr. Cook stated this classification exists further north on Route 130.

Mr. Taylor stated the Township Committee had agreed if the sewer system was expanded, the Township would not take ownership of any new pump stations. He inquired if by changing this classification, would the Township have to provide a pump station. Mr. Tanner stated if a pump station is required, it should be a private pump station. Mr. Cook confirmed this reclassification does not create any additional obligations that tie in with pump stations or sewer. Mayor Mulligan explained this allows the redevelopment of a dilapidated site. He inquired if the Township Committee or the public had any questions. Hearing none, he asked for a motion to adopt Cranbury Township Resolution # R 09-16-141.

Resolution

On motion by Mr. Taylor, seconded by Mr. Cook and unanimously carried, the following Resolution was adopted by vote:

Ayes: (Cook
(Goetz
(Johnson
(Taylor
(Mulligan

Abstain: (None
Absent: (None

Nays: (None

TOWNSHIP COMMITTEE MEETING
September 12, 2016

CRANBURY TOWNSHIP RESOLUTION # R 09-16-141

Resolution Supporting the Re-Designation of a Half-mile Section of Route 130
Within the GC Zone from Planning Area 4 on the State Map to Planning Area 2

WHEREAS, the Cranbury Township Committee, Cranbury Township hereby supports the re-designation of a half-mile section of Route 130 within its GC Zone from the State of New Jersey's Planning Area 4 on its map to Planning Area 2; and

WHEREAS, this change is being facilitated due to Cranbury Township's desire to adopt zoning amendments to promote retail development along Route 130;

BE IT FURTHER RESOLVED a letter be sent to the State Planning Commission with the letter to be reviewed and approved by the Township Attorney and signed by the Mayor.

Work Session

- c). Discussion of "LOSAP (Length of Service Awards Program)"
The Township Committee discussed the Township's "Length of Service Awards Program (LOSAP)". Mayor Mulligan and the Committee had a brief discussion about LOSAP, stating no decisions or action would be taken this evening. Mr. Taylor is a fireman; however, he did not participate in the discussion. Mayor Mulligan explained LOSAP is a pension for the Township's first responders. He reported LOSAP costs the Township approximately \$65,000 a year. The Fire Company wanted to change providers for better service and other options. Mayor Mulligan stated the process has been cumbersome and the Township now realizes there may be some fees associated with people moving their LOSAP. He stated he, Ms. Marabello, Steve Goodell, Esq., Township Attorney, will meet with Mr. Charlie Smith and the Fire Company's attorney to discuss the issue.

Reports from Township Staff and Professionals

--Administrator's Report

Ms. Marabello stated she had nothing to report.

--Assistant Administrator

Ms. Cunningham stated she had nothing to report.

Reports from Township Boards and Commissions

Ms. Kathy Easton, Chair of the Shade Tree Commission, gave a brief recap on the Emerald Ash Borer infestation problem in Four Seasons, which was brought to the Shade Tree's attention in June. Ms. Easton stated a lot of the landscaping in Four Seasons includes ash trees, of which more than half are infected. The ash borer is an insect that does a lot of damage and kills the tree. Ms. Easton stated the Shade Tree did an evaluation, and the State joined in at a Shade Tree Meeting to further educate the Committee. Ms. Easton stated traps were set and ash borers were caught, and the traps were taken down by the State. She stated this was all done by volunteers. The Shade Tree then held a free Rutgers Outreach Emerald Ash Borer Workshop, which was attended by Four Seasons residents. Ms. Easton publicly thanked two residents, Charlie Webb and Monica Smith, who helped her immensely with not only taking the tree inventory, but also taking the calibration of every tree in the complex. Ms. Easton reported the inventory was completed today, all done by volunteers, and reported there are 114 ash trees in Four Seasons. After they completed the inventory in Four Seasons, they checked trees in the rights-of-way in Town. She stated they used the 2002 Tree Inventory, and only found another 19 trees. Ms. Easton stressed that it is important to deal with all the trees in the Township because when ash trees become sick and are dying, they become very brittle and are hazardous.

TOWNSHIP COMMITTEE MEETING
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Reports from Township Boards and Commissions

Ms. Kathy Easton (cont'd.)

Ms. Easton stated of the 19 ash trees found in the Township, 50% are not in good shape and are hazardous. Of the ash trees in Four Seasons, the caliper measures up to 12 inches. These trees will not be difficult to take down. Of the 19 ash trees in the Township, measurements range from 12 to 38 inches, and she stated some of them are magnificent trees, except they are ailing. She stated there is an infected tree on Prospect Street, which hangs over the sidewalk where children walk to school. Ms. Easton stated the Township has a responsibility to contain the infestation, and there is a classic infestation in Four Seasons. She stated Four Seasons residents are interested in talking with the Township to remove all the trees soon, including the trees in the common area and right-of-way. Ms. Easton stated the trees must be taken down, and chipped. She stated the chippings will heat up and the larvae will be killed. She stated there are not a lot of ash trees in Cranbury, and Shade Tree recommends the trees all come down, with October being the key month that the State recommends. She stated the Township definitely does not want to wait until spring to remove the trees.

Ms. Easton stated the Shade Tree Commission was granted \$5,000 to plant trees. She stated the Commission counted 56 holes on Main Street where trees have come down due to storms and the beautification project, and they were working on replacing trees. She stated it was suggested that Shade Tree would have to use its budget to participate in the removal of the trees, and she emphasized that \$5,000 was earmarked for new tree plantings. Mr. Cook asked if the tree removal could be phased, and Ms. Easton stated it would not make sense to do that. Mayor Mulligan thanked Ms. Easton and the Shade Tree for all of their work. He stated the Committee needed to understand the costs involved and then would work with Shade Tree to prioritize the tree removal. Mr. Cook asked up to what size tree Public Works could handle, and Mr. Taylor stated the chipper can do trees up to eight (8) inches. He stated the problem is that the timing is during leaf collection. Ms. Easton stated she made Public Works aware that trees would have to be removed, and stated the trees in Four Seasons are small. She stated the Township trees that are sick and dying must be removed as they are hazardous and are a liability to the Township. Mayor Mulligan stated the Township wants to fulfill its moral obligation to remove the trees, but has financial constraints to consider. Ms. Goetz inquired if the Four Seasons would contribute to the costs. Ms. Easton stated Four Seasons has been very instrumental in educating the community. Ms. Easton suggested discussions between the Township and Four Seasons Landscape Committee take place. She stated Four Seasons wants to work on it because they know the risk involved with the ash trees there. She wanted the Township Committee to be aware that there are large ash trees in the common area of Liedtke Drive. She stated she did measure those because they are not in the right-of-way.

Mayor Mulligan stated the Township has to determine the cost. Ms. Marabello stated she will need a list of the trees, including sizes and locations, so Public Works can review and determine a cost. Mayor Mulligan suggested Ms. Marabello talk to Mr. Jerry Thorne, Public Works Manager, to see if Public Works can do any of the work. Ms. Marabello stated Public Works would have to do the work in stages. Ms. Easton stated the timeframe to remove the trees is October through the middle of March. Mayor Mulligan stated it may be more efficient to have a contractor do the entire job. There was additional discussion about the cost to remove trees.

Mr. Cook inquired if private homeowners are required to remove ash trees on their property. Ms. Easton stated it is up to the homeowner to get their own arborist to treat/remove the infected trees. She stated she and the other Commissioners are willing to volunteer to help any residents identify trees on their property. Ms. Bonnie Larson, Shade Tree member, stated a program concerning the Emerald Ash Borer will be held at the Library on September 14th at 7:00 p.m. Mr. Taylor inquired if the Township parks were inventoried, and Ms. Easton stated she did not look at the Parks, and stated perhaps she could get a couple of volunteers to look at the trees in the parks with her. The Township Committee thanked Ms. Easton and the Shade Tree Commission.

TOWNSHIP COMMITTEE MEETING
September 12, 2016

Public Comment

Mayor Mulligan opened the meeting to public comment.

Mr. Richard Kallan, Wynnewood Drive, thanked the Township Committee for trimming the trees on the corner of Old Trenton Road and Ancil Davison Road. He inquired how the Township was affected by the latest Supreme Court ruling on Mount Laurel concerning fair share. Mr. Taylor explained the ruling threw out some of the methodology some Judges were using. The Committee confirmed Cranbury Township is fine as our Affordable Housing Plan has been approved. Mayor Mulligan stated Cranbury is abiding by the rule that no more than 20% of Cranbury's housing will be affordable. He explained that Cranbury's housing will be an aggregate of the housing built in Town as well as the credits received for housing the Township paid for in previous rounds for other towns.

Mr. Kallan inquired about using the trees the Township obtained from the Turnpike to plant in Town, and it was explained that was not part of the agreement. There was a planting plan for reforestation. Ms. Goetz stated the Township had hoped to set something up like a tree farm for the future use of trees. Ms. Easton stated a plan showing where trees would be planted was drawn up, and that is exactly where the trees were planted. Ms. Marabello stated the State still comes to check the trees.

Ms. Kathy Easton informed the Committee that Rutgers will be in the Township to take measurements and samples of some 250 street trees as part of a long-term study.

Mayor Mulligan asked for any additional public comment, and hearing none, closed the public portion of the meeting.

Mayor's Notes

There were no Mayor's notes this evening

Township Committee Members' Notes

There were no Township Committee Members' Notes this evening.

On motion by Mr. Taylor, seconded by Mr. Johnson, and unanimously carried, the meeting adjourned at 9:02 p.m.

Kathleen R. Cunningham
Municipal Clerk