

TOWNSHIP COMMITTEE MEETING
January 28, 2013

The regular meeting of the Township Committee of the Township of Cranbury was held at 7:00 p.m. in the Town Hall Meeting Room. Answering present to the roll call were Township Committee members: David Cook, Susan Goetz, Daniel Mulligan, James Taylor, and Mayor Glenn Johnson. Also present was Kathleen Cunningham, Municipal Clerk/Assistant Administrator. Mayor Johnson led in the salute to the flag, and Ms. Cunningham gave the following Open Public Meetings Act statement:

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

- (1) Posted on December 3, 2012 on the Bulletin Board of the Municipal Office at 23-A North Main Street, Cranbury, New Jersey and remains posted at that location.
- (2) Communicated to the Cranbury Press, Home News Tribune and Trenton Times on December 3, 2012.
- (3) Filed on December 3, 2012 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, and
- (4) Sent to those individuals who have requested personal notice.

Regular Township Committee Minutes of January 14, 2013

Ms. Goetz asked a sentence be modified to read "Dr. Young will be invited to provide input on the dog park." On motion by Mr. Mulligan, seconded by Mr. Cook, and unanimously carried, the Regular Township Committee Minutes of January 14, 2013 were adopted.

Reports and Communications

--Mayor Johnson reported he visited with Ms. Edla Brand on her 101st birthday. He reported he attended a PSE&G meeting hosted by the League of Municipalities regarding the recovery from Super Storm Sandy. He reported this meeting was similar to the JCP&L meeting he previously attended and stated PSE&G reported spending \$300 million to service 1.9 million customers. Mayor Johnson stated PSE&G displayed a map which showed most of the grid was lost in this part of New Jersey. PSE&G stated in the future they would like to have two-way meters which would allow them to know the status of electric power in each home.

Mayor Johnson reported a special budget meeting was held on Saturday, January 26th.

Reports and Communications

--Township Committee

Mr. Mulligan reported he attended the Board of Education meeting last week. He stated the BOE is addressing security based on the tragedy at Sandy Hook Elementary School in Connecticut. The school will be doing more to restrict access to the building and will increase video monitoring. The BOE reported the Library's rent will be reduced from \$58,000 to \$51,000. The Library will close an hour earlier on Mondays through Thursdays and will now be closed on Sundays. The BOE asked about the timing of the Brainerd Lake Dam Project, and Mr. Mulligan stated the timeframe still looks like the spring. The BOE asked to be kept up-to-date on the Project.

Mr. Cook reported there will be a Public Meeting on the Dam Project on February 25th. He stated the County will be at the meeting to describe the depth of the Project. He stated conceptual drawings will be available for viewing by the Public, and there will be a better idea of time tables concerning traffic, and stated at no point of time will the street be closed. Traffic may be slowed down at times, however, rush hour and school traffic will be able to pass.

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Reports and Communications

--Township Committee

Mr. Cook reported he also met with the "Beautification Project Subcommittee" and stated it was great to see the progress. He stated there will be continuity in the aesthetics with the merging of the Brainerd Lake/Dam Project and the "Downtown Beautification Project."

Mr. Taylor reported he will not be present at the meeting on February 25th.

Mr. Goetz reported the Beautification Subcommittee is still in the process of pulling together recommendations from the public meeting. She stated a lot of ideas have emerged, and the project area will be no more than from Schoolhouse Lane to Park Place West. Mr. Goetz stated the project is being funded by DOT monies; therefore, Park Place East and West will have to be re-configured to make the four (4) corners "ADA compliant". Ms. Goetz stated the plans will be submitted to the Historical Preservation Commission for their approval, and a meeting will be held with the property owners whose properties will be impacted by the project. The plans will then be presented to the public. She stated the project includes street lights and sidewalks on the west side of Main Street and stated they wanted to make sure the lighting in Town is compatible with the lighting by the Dam.

Ms. Goetz reported a brief meeting was held concerning a dog park. She stated a group of residents will investigate the possibility of a dog park and will call themselves "Friends of the Cranbury Dog Park". She stated the group is looking for ways to fund the dog park, possibly with a membership.

Mr. Taylor reported he has nothing to report.

Mayor Johnson stated he noticed the March 25th Township Committee meeting falls on the first night of Passover. He stated he would rather not meet that evening; however, Ms. Marabello stated there would have to be a meeting to discuss the budget. Mayor Johnson suggested meeting on Tuesday, March 26th, and requested the Township Committee members check their availability. Mr. Mulligan stated he would not be available that week because it is the school's spring break. The meeting will be rescheduled to Tuesday, March 26th.

Reports and Communications

--Subcommittees

There were no reports from Subcommittees.

Agenda Additions/Changes

Ms. Cunningham, Municipal Clerk, stated there were no additions or changes.

Public Comment

The Mayor then opened the meeting to public questions and comment.

Ms. Christine Ondocin, Gil & Bert's Ice Cream on North Main Street, congratulated Mr. Taylor on becoming a fireman. She stated she wanted to thank Mr. Mulligan for all the information provided during Super Storm Sandy. She stated the information posted was very helpful throughout the storm.

She wanted to address the Outdoor Dining Ordinance; specifically, the inability to have music outside because of residences and commercial properties mixed together. She asked the Township Committee to consider possibly modifying that Ordinance to allow music in the afternoon versus the evening. Ms. Goetz asked if she was considering live music, and Ms. Ondocin stated she would like to have perhaps a guitar play. The music would not be loud and the sound would be kept to a minimum. She stated she could be flexible with the hours. Ms. Cunningham stated the Outdoor Dining Ordinance would have to be amended. Mr. Taylor

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Public Comment
(Mr. Taylor cont'd.)

suggested the liaisons for the business community look at the Ordinance and come back to Committee with a recommendation on the time. Mr. Mulligan stated additional research will be done on the idea.

Ms. Ondocin also asked about the parking across the street from Gil & Bert's. She stated she is not adverse to the driveway being put in; however two (2) parking spaces were removed instead of one (1), and yellow paint was applied to prevent additional parking. She stated she put a call into Mr. Jeff Graydon, who stated he would follow up. However, Ms. Marabello reported this issue is now with Mr. Bill Tanner, Township Engineer, and the Township Committee. She reported a permit for the driveway was not obtained; however, Mr. Anthony Nichols did come to the Township with paperwork and paid the fee to the Township Clerk. Ms. Marabello stated Mr. Nichols did obtain a permit for the driveway cutout from the County; however, the Township Code states a driveway cannot be constructed without obtaining approval from the Zoning Office and obtaining a permit from the Township Committee.

There being no further comments, the Mayor closed the Public Comment portion of the meeting.

Ordinances
First Reading

Cranbury Township Ordinance # 01-13-02

An Ordinance entitled, Cranbury Township Ordinance # 01-13-02, "CALENDAR YEAR 2013 – AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)" was introduced on First Reading and will be heard on Second Reading and have a Public Hearing at the next Township Committee Meeting on Monday evening, February 11, 2013 at 7 p.m.

On motion by Mr. Mulligan, seconded by Mr. Taylor, the Ordinance was passed on First Reading by vote:

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

Nays: (None

Second Reading – February 11, 2013 at 7 p.m.

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the governing body of the Township of Cranbury in the County of Middlesex finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous

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Cranbury Township Ordinance # 01-13-02
(Continued)

year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the governing body hereby determines that a 1.5 % increase in the budget for said year, amounting to \$98,878.98 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the governing body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the governing body of the Township of Cranbury, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Township of Cranbury shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.5 %, amounting to \$98,878.98, and that the CY 2013 municipal budget for the Township of Cranbury be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Cranbury Township Ordinance # 01-13-03

An Ordinance entitled, Cranbury Township Ordinance # 01-13-03, "AN ORDINANCE ABOLISHING THE HUMAN SERVICES BOARD AND TRANSFERRING BOARD FUNCTIONS TO THE RECREATION COMMISSION" was introduced on First Reading and will be heard on Second Reading and have a Public Hearing at the next Township Committee Meeting on Monday evening, February 11, 2013 at 7 p.m.

Mr. Taylor asked if this Ordinance could be put on hold to determine first if the transfer of Human Services to the Recreation Commission actually worked first before abolishing the Human Services Board. He inquired if it did not work, would an Ordinance have to be reinstated. Mayor Johnson stated the Senior Center needed assistance with programs and since the Recreation Commission has the infrastructure, the successful shift of functions is possible.

On motion by Mr. Mulligan, seconded by Ms. Goetz, the Ordinance was passed on First Reading by vote:

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

Nays: (None

Second Reading – February 11, 2013 at 7 p.m.

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Cranbury Township Ordinance # 01-13-03
(Continued)

WHEREAS, the Cranbury Township Code, Chapter 22, establishes the Township's Human Services Board; and

WHEREAS, the Board was established as a separate department within the Township of Cranbury to provide services involving the evaluation, education and coordination of services to address areas of need for physical and mental health, food, clothing, shelter, transportation and social interaction; and

WHEREAS, the primary functions of the Human Services Board at this time are maintaining the Township's Senior Center and operating programs for the Senior Center; and

WHEREAS, the Township Committee has determined that these functions can be consolidated with the functions of the Recreation Commission for a more efficient operation of government, and that the ordinance creating the Human Services Board can be repealed; and

WHEREAS, the Township Committee offers its gratitude and thanks to the members of the Human Services Board who have voluntarily given their time in service to the Township and its residents.

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

SECTION 1.

Cranbury Township Code, Chapter 22, entitled "Human Services Board," is hereby repealed in its entirety.

SECTION 2.

The Human Services Board's responsibilities for operation and maintenance of the Senior Center and for Senior Center programming are hereby transferred to the Cranbury Township Recreation Commission.

SECTION 3.

Cranbury Township Code, Chapter 36, entitled "Recreation Commission," is hereby amended as follows (additions underlined, deletions ~~struck through~~):

§ 36-1. Establishment.

In accordance with the provisions of N.J.S.A. 40:12-1, there is hereby established a Board of Recreation Commissioners in the Township of Cranbury, County of Middlesex and State of New Jersey, the same to be hereinafter known as the "Cranbury Recreation Commission" or the "Recreation Commission."

§ 36-2. Membership; terms; vacancies.

- A. The Cranbury Recreation Commission shall consist of seven persons who shall be citizens and residents of Cranbury Township and who shall be appointed to serve without pay by the Mayor of Cranbury Township. The members shall be appointed for terms of five years or until their successors are appointed and qualified, except that the terms of office of the members of such Recreation Commission as first appointed shall be for one, two, three,

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Cranbury Township Ordinance # 01-13-03
(Continued)

four and five years, respectively, with the sixth and seventh members for four and five years, respectively, with annual appointments thereafter being for the full five-year term. Vacancies shall be filled by appointment of the Mayor of Cranbury Township for the unexpired term or terms.

- B. In addition to the regular members, there shall be two alternate members of the Board of Recreation Commissioners who shall be designated at the time of appointment as "Alternate No. 1 and Alternate No. 2." The length of the terms of the alternate members shall be five years; provided, however, that on the initial appointment, the appointment of one alternate shall be for a term of four years and the appointment of the second alternate shall be for a term of five years. A vacancy occurring otherwise than by expiration of term shall be filled by the governing body for the unexpired term only. No alternate member shall be permitted to act on any matter in which the alternate has either directly or indirectly any personal or financial interest. An alternate member may, after public hearing if he requests one, be removed by the governing body for cause. Alternate members may participate in discussions of the proceedings, but may not vote except in the absence of disqualification of a regular member of the Board of Recreation Commissioners. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate is to vote, Alternate No. 1 shall vote.

§ 36-3. Organization; adoption of bylaws.

- A. Within a reasonable time after the original appointment of members to said Cranbury Recreation Commission, said Commission shall meet, organize and elect one of its members as President, as well as such other officers as may be necessary.
- B. The Recreation Commission shall have the power to adopt bylaws and rules for the conduct of recreation within the Township of Cranbury in accordance with the laws of New Jersey.

§ 36-4. Powers and duties.

- A. The Cranbury Recreation Commission may provide, conduct and supervise public recreation activities within the Township of Cranbury, ~~and said~~
- B. The Cranbury Recreation Commission is hereby expressly designated by the Township Committee of Cranbury Township as the proper body to adopt and enforce rules concerning the use of Brainerd Lake for ice skating and other winter sports activities as well as summer sports activities.
- C. The Cranbury Recreation Commission shall be responsible for the operation and maintenance of the Cranbury Senior Center and shall be responsible for Senior Center programming.

§ 36-5. Appointment of supervisors of activities; appropriation of funds.

The Recreation Commission shall have the power to appoint a person or persons to act as supervisor or supervisors of recreation or sports or senior center activities within the Township of Cranbury; provided, however, that no expenditures for such appointment or for such activities ~~therefor~~ shall be authorized unless the funds have been provided by appropriation of the

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Cranbury Township Ordinance # 01-13-03
(Continued)

Township Committee or by gifts or bequests or from such other sources as may be authorized and permitted by law.

SECTION 4. Repealer. All ordinances and resolutions, or parts thereof, inconsistent with this Ordinance, are hereby repealed.

SECTION 5. Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 6. Effective Date. This Ordinance shall take effect immediately upon its passage and publication, as required by law.

Cranbury Township Ordinance # 01-13-04

An Ordinance entitled, Cranbury Township Ordinance # 01-13-04, "AN ORDINANCE AUTHORIZING THE COMMENCEMENT OF AN ACTION UNDER THE EMINENT DOMAIN ACT OF 1971 AND AUTHORIZING THE ACQUISITION OF TEMPORARY AND PERMANENT EASEMENTS" was introduced on First Reading and will be heard on Second Reading and have a Public Hearing at the next Township Committee Meeting on Monday evening, February 11, 2013 at 7 p.m.

Ms. Goetz inquired if the Township Committee is confident the property owners will be available to discuss this. Mayor Johnson stated the property owners are aware the Township needed to file this Action in case it was needed; however the expectations are it will not be needed. Mr. Cook stated the property owners were made aware at the first meeting and they chose to yield and allow it to proceed. Mr. Taylor inquired if this is approved at the Second Reading, could the Township Committee have a Closed Session to discuss how to legally proceed. Mr. Cook stated the Township will work with the property owner and this does not eliminate any recourse or negotiation. Mr. Cook stated legal representation has already been involved; however, Mr. Taylor requested additional discussion.

On motion by Mr. Mulligan, seconded by Mr. Taylor, the Ordinance was passed on First Reading by vote:

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

Abstain: (None
Absent: (None

Nays: (None

Second Reading – February 11, 2013 at 7 p.m.

WHEREAS, Suzanne and Istvan Palocz are the current owners of a ±0.446 acre parcel of land located at Block 23, Lot 71.01 and is improved with a single family home; and

WHEREAS, Suzanne and Istvan Palocz are the current owners of a ±1.167 acre parcel of land located at Block 23, Lot 71 and is improved with a carriage house; and

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Cranbury Township Ordinance # 01-13-04
(Continued)

WHEREAS, the total acreage of the two parcels is ± 1.613 acres being located at 1 North Main Street, between the intersections of Evans Drive and Scott Ave, across from Brainerd

Lake, in Cranbury Township, Middlesex County, New Jersey hereinafter referred to together as the subject property; and

WHEREAS the Township seeks to acquire a $\pm 1,941$ square foot permanent grading and slope easement located in the southern portion of the subject property beginning near its frontage with Lot 72 and continuing in a northerly direction to the boundary of Lot 71.01; and

WHEREAS the Township seeks to acquire a $\pm 1,141$ square foot temporary construction easement located to the west of the proposed $\pm 1,941$ permanent grading and slope easement; and

WHEREAS the Township seeks to acquire a ± 686 square foot permanent grading and slope easement located adjacent to the stone driveway on the subject property to its south; and

WHEREAS the Township seeks to acquire a ± 535 square foot temporary construction easement located to the west of the proposed ± 686 permanent grading and slope easement; and

WHEREAS, the purpose of said acquisitions is for the rehabilitation of the Brainerd Lake dam and bridge located adjacent to the subject property which were significantly damaged during hurricane Irene in 2008; and

WHEREAS, the proposed easements are the minimum necessary to repair and restore the bridge and dam to prevent further loss; and

WHEREAS, the Township has obtained an appraisal reflecting the market value of the two (2) permanent grading and slope easements and the two (2) temporary construction easements; and

WHEREAS, on January 8, 2013 the Township wrote to the property owners for the purpose of commencing and conducting bona fide negotiations to acquire the two (2) permanent grading and slope easements and the two (2) temporary construction easements; and

WHEREAS, if the Township is unable to reach an agreement with the property owner after engaging in bona fide negotiations, it will be required to initiate condemnation proceedings to acquire the two (2) permanent grading and slope easements and the two (2) temporary construction easements; and

WHEREAS, the Finance Officer has certified the availability of funds.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Cranbury, in the County of Middlesex, State of New Jersey that if after bona fide negotiations the Township is unable to reach an agreement for the acquisition of the two (2) permanent grading and slope easements and the two (2) temporary construction easements identified above, then the Township Administrator and the Township Attorney are hereby authorized to complete, file and record any and all necessary documents, and to deposit with the court any and all necessary funds not exceeding Seven Thousand Five Hundred Ninety-Five Dollars (\$7,595), to commence an action under the Eminent Domain Act of 1971, *N.J.S.A. 20:3-1 et seq.* on behalf of the Township of Cranbury to condemn the two (2) permanent grading and slope

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Cranbury Township Ordinance # 01-13-04
(Continued)

easements and the two (2) temporary construction easements identified above; and to acquire title to the easements in the name of Cranbury Township; and

BE IT FURTHER ORDAINED, that if the Township is able to reach agreement for said purchase at its appraised value, then the Township Administrator and the Township Attorney are hereby authorized to take all steps necessary to acquire title to the tract in the name of Cranbury Township; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon publication in accordance with law.

Cranbury Township Ordinance # 01-13-05

An Ordinance entitled, Cranbury Township Ordinance # 01-13-05, "AN ORDINANCE AUTHORIZING AND ACCEPTING A TEMPORARY ACCESS EASEMENT FOR BLOCK 33, LOT 39" was introduced on First Reading and will be heard on Second Reading and have a Public Hearing at the next Township Committee Meeting on Monday evening, February 11, 2013 at 7 p.m.

On motion by Mr. Mulligan, seconded by Ms. Goetz, the Ordinance was passed on First Reading by vote:

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

Nays: (None

Second Reading – February 11, 2013 at 7 p.m.

WHEREAS, the New Jersey Dam Safety Section of the New Jersey Department of Environmental Protection requires the repair and renovation of the Brainerd Lake dam;

WHEREAS, the Township of Cranbury and the County of Middlesex will be engaged in a project to rehabilitate the dam and bridge; and

WHEREAS, as part of the project the contract will be installing a barrier across the faces of the dam, renovating the stone face, replacing the railing and installing new concrete sidewalks; and

WHEREAS, the project work requires that the contractor enter upon the property located at Block 33, Lot 39, commonly known as 2 South Main Street; and

WHEREAS, a temporary access easement on the northern corner of the 2 South Main Street property, where it meets the right of way of South Main Street adjacent to the lake is needed in order to perform the necessary construction; and

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Cranbury Township Ordinance # 01-13-05
(Continued)

WHEREAS, the property owners has agreed to grant the Township a Temporary Access Easement;

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey that the Township of Cranbury hereby authorizes and accepts a Temporary Access Easement over Block 33, Lot 39, commonly known as 2 South Main Street for the purpose of rehabilitation, repair and renovation of the Brainerd Lake dam; and

BE IT FURTHER ORDAINED that the Township Mayor and Clerk are authorized to execute a Temporary Access Easement in the form attached hereto. (Addendum A attached.)

Ordinance
Second Reading

Cranbury Township Ordinance # 01-13-01

A motion to enter an Ordinance entitled, # 01-13-01, "AN ORDINANCE AUTHORIZING AND ACCEPTING A TEMPORARY CONSTRUCTION AND ACCESS EASEMENT", was presented for Second reading and final adoption. 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 public hearing was declared closed. On motion by Mr. Mulligan, seconded by Mr. Cook, the Ordinance was adopted by a vote:

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

Nays: (None

Resolutions
Consent Agenda

Mayor Johnson gave a brief summary of the Resolutions and asked the Township Committee if there were any questions or comments. Mr. Taylor stated he had questions on Resolution # R 01-13-027 concerning the redemption of the Tax Sale Certificate. Ms. Marabello stated Mr. Ross Maszczak, Township Tax Collector, was available to answer questions concerning the Tax Sale Certificate.

Ms. Cunningham stated Resolution # R 01-13-027 would be addressed separately, and Mayor Cook asked for a motion on the remaining Consent Agenda Resolutions. On a motion by Mr. Mulligan, seconded by Mr. Taylor, the following Consent Agenda Resolutions were adopted by vote:

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

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Nays: (None

Cranbury Township Resolution # R 01-13-024

NOW, THEREFORE, BE IT RESOLVED, by the Township of Cranbury that all bills and claims as audited and found to be correct be paid.

Cranbury Township Resolution # R 01-13-025

A RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT
WITH THE TOWNSHIP OF MONROE FOR THE CONTINUED PROVISION OF
REGULAR AND EMERGENCY OPERATION AND MAINTENANCE
FOR CRANBURY TOWNSHIP'S SANITARY SEWER SYSTEM

WHEREAS, in prior years, the Township of Cranbury and the Township of Monroe have executed a Shared Agreement for Monroe Township's provision of Emergency Operation and Maintenance for Cranbury Township's Sanitary Sewer System; and

WHEREAS, Monroe Township has offered to continue to provide these services to the Township during 2013 as set forth in the attached agreement; and

WHEREAS, the total fee for 2013 will be \$ 113,671.00: and

WHEREAS, the Chief Financial Officer has certified that there will be sufficient funds for these services during 2013: and

WHEREAS, such agreements are authorized pursuant to the Uniform Shared Services Consolidation Act, N.J.S.A. 40A:65-1 et. Seq:

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

1. Said Agreement is hereby continued for a period commencing January 1, 2013 through December 31, 2013 with an option of extending for a period of one (1) year.
2. A copy of the Agreement shall be available for public inspection in the Township Clerk's Office during regular business hours.

Cranbury Township Resolution # R 01-13-026

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

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 \$5,166.00, to be used for related Municipal Alliance related activities; and

WHEREAS, the Township of Cranbury must provide matching funds in the amount of \$5,166.00 cash and in-kind service to receiving the aforementioned sum; and

WHEREAS, the Chief Financial Officer has certified the Township will match said funds in the amount of \$5,166.00; and

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Cranbury Township Resolution # R 01-13-026
(Continued)

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

While waiting for Mr. Maszczak, Tax Collector, Mr. Mulligan inquired about the Sanitary Sewer map. He stated he map is confusing and asked if the Township Engineer could come to address it. Ms. Cunningham stated Ms. Marabello could explain the map.

Resolution

Mr. Taylor asked Mr. Maszczak about the six (6) properties listed for the November 16, 2012 tax sale. Mr. Maszczak stated the lien on the property listed on this Resolution was redeemed, and confirmed the monies on the other properties are still being held by the Township. He stated two (2) more liens have been redeemed and the paperwork is being processed for those. Mr. Maszczak explained the redemption process to the Committee.

On a motion by Mulligan, seconded by Taylor, the following Resolution was adopted by vote:

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

Cranbury Township Resolution # R 01-13-027

WHEREAS, a Tax Sale was held in the Township of Cranbury on November 16, 2012; and,

WHEREAS, US Bank Cust For Pro Capital I., paid \$15,600.00 as a premium to obtain Tax Sale Certificate #12-00012 on Block 23 Lot 149; and,.

WHEREAS, the Tax Sale certificates have been redeemed, the holder is entitled to a refund of the premium paid to obtain said certificate,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury, that a refund in the amount of \$15,600.00 be paid to US Bank Cust For Pro Capital I.

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Reports from Township Staff and Professionals

--Administrator's Report

Mr. Mulligan asked Ms. Marabello for clarification on the sewer service map. He stated the Township asked the County for approval for sewer service at the Cranbury Circle. Mr. Mulligan stated it looks like the Township did not get approval for all the properties on the Cranbury Circle. He stated he saw other added properties he was not expecting to be added. Ms. Marabello stated all the blocks and lots listed were requested by the Township. Ms. Goetz stated she did not recall the Township requesting service on the western side of the Township. Mr. Mulligan stated the Township Committee may need an interpretation of the blocks and lots and addresses. Ms. Goetz stated there is not a lot of time to appeal the maps. Ms. Marabello stated property owners will have to be involved. She stated the County is in agreement with the Township adding sewer service; however, DEP is resistant. Ms. Goetz stated some of the properties around Cranbury Circle were not included because they are in wetlands.

Mr. Mulligan stated he is still not clear from the map what is in the sewer service area. Ms. Marabello read areas approved and areas denied for sewer service. The Township Committee would like a better understanding of what the approvals mean to the Township. Mr. Cook suggested contacting the properties to notify them that they were not approved for the sewer service area. He suggested getting a clarification on the properties involved. A Work Session will be scheduled for the February 11th Township Committee meeting to have the Township Engineer explain the properties impacted on a large highlighted map.

Ms. Marabello reported she received a letter from Green Acres stating Cranbury Township has a balance of \$87,000, which must be used on a new open space preserves project and not on any existing projects. She asked the Township Committee for suggestions. Mr. Cook suggested the Protinick property; however, Mr. Marabello explained that property is a farmland easement and not open space. Ms. Marabello reported the funds will expire in January 2014.

Ms. Marabello reported a Special Budget Meeting was held on Saturday, January 26th. The next Budget Meeting will be held on Saturday, February 16th at 9:00 a.m. in the Township Meeting Room.

--Assistant Administrator's Report

Ms. Cunningham stated she had nothing to report.

Reports from Township Boards and Commissions

There were no reports from Township Boards and Commissions.

Public Comment

The Mayor then opened the meeting to public questions and comment.

Kaitlyn Kanzler, the Cranbury Press, requested clarification on the sewer service area information.

Ms. Bonnie Larson, Cranbury Neck Road, asked Mr. Cook if the Brainerd Lake Dam Subcommittee has someone working on planters because some on Shade Tree was also researching information on planters. Mr. Cook stated they were looking at the number of planters, not types. Mr. Taylor asked if Ms. Larson received his e-mail concerning the Cranbury Inn not wanting trees planted in front of the Inn. He explained Dave Szabo lives next to the Inn, has trees that need to be replaced, and was wondering if those trees could be planted in front of his home. Ms. Marabello stated the request has been forwarded to the Tree Subcommittee, and the landscaper will look at the property to determine if the trees can be planted.

TOWNSHIP COMMITTEE MEETING
January 28, 2013

Public Comment (Continued)

Ms. Kirstie Venanzi, Cranbury Library Board, provided some updates to the Township Committee. She reported the Library's appropriations are down 10%, or \$58,000. She stated the current Library Board felt very strongly about matching the budget to the appropriation and not draw from the Library's surplus. As a result, the Library Board decided to reduce the Library's hours, hopefully only temporarily, by one (1) a day Monday through Thursday (10:00 a.m. to 8:00 p.m., instead of 9:00 p.m.) and closing the Library on Sundays. She stated the cost of having a black seal engineer in on Sundays was causing an increase in the rent. She stated having the Library open on Sundays was instituted about ten (10) years ago. Ms. Venanzi reported the cost of copies will increase from \$.10 to \$.15/per copy.

Ms. Venanzi, reported the Library Foundation is now at \$1.2 million. She stated the Library Board would like a Subcommittee formed by the Township Committee to have discussions concerning the new library. Ms. Venanzi reported the foundation will be having a Kickoff for the Foundation on April 7, 2013 from 4:00 to 6:00 p.m. at Teddy's. She stated invitations will be mailed. Mr. Taylor commended the Foundation for the success in that amount of funds in the current economy.

She reported many great programs are being offered at the Library. She stated the next program will be the "History of Cranbury", presented by Mr. Bill Bunting on February 15th from 7:00 to 8:30 p.m.

There being no further comments, the Mayor closed the Public Comment portion of the meeting.

Mayor's Notes

Mayor Johnson announced the appointment of Ms. Fay Kobland to the position of 2nd Alternate on the Municipal Alliance.

On a motion by Mr. Mulligan, seconded by Mr. Cook and unanimously carried, the meeting adjourned at 8:13 p.m.

Kathleen R. Cunningham, RMC
Municipal Clerk

TOWNSHIP COMMITTEE MEETING
January 28, 2013

Addendum A

TEMPORARY ACCESS EASEMENT

THIS INDENTURE made this _____ day of _____ 2013

BETWEEN Lawrence Houston and Feather Houston
 2 South Main Street
 Cranbury, New Jersey 08512
 (hereinafter referred to as the "Grantors")

AND Township of Cranbury, a municipal corporation of the
 State of New Jersey with a business address of
 23-A North Main Street, Cranbury, New Jersey 08512
 (hereinafter referred to as the "Grantee")

WITNESSETH:

Lawrence Houston and Feather Houston, Grantors, are the only owners of a premise located at Block 33, Lot 39, as designated on the official tax map of the Township of Cranbury, County of Middlesex, State of New Jersey, commonly known as 2 South Main Street (hereinafter referred to as the "Property"); and

The Grantors for and in consideration of the sum of One Dollar (\$1.00) paid by the Grantee, the Township of Cranbury, wishes to give, a ± 20 foot wide x ± 10 foot deep Temporary Access Easement on the northern corner of the Grantors' Property where it meets the right of way of South Main Street adjacent to Brainerd Lake to allow for equipment and personnel to access the Brainerd Lake dam for repairs, renovations, rehabilitation to be made to the dam and bridge during the joint project between the Township of Cranbury and the County of Middlesex; and

The lands affected by the grant of this Temporary Access Easement are more particularly shown on the map prepared by Van Cleef Engineering attached hereto as Schedule A (hereinafter referred to as the "Easements"); and

Access to the property is permitted and entry may be made immediately upon execution of this Temporary Access Easement by the parties hereto. The Temporary Access Easement shall automatically expire upon the completion of all work to be performed as part of the joint project between the Township of Cranbury and County of Middlesex to repair, renovate and rehabilitate the Brainerd Lake dam and bridge; and

The Township shall remove the two (2) shrubs located in the access area and shall re-grade and restore the area with mulch or topsoil and seed. The decision to use mulch or topsoil and see shall be made by the Grantors.

TOWNSHIP COMMITTEE MEETING
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During the period of the temporary access easement, should the Grantors incur any liability or claims in connection with any act, omission or condition relating to or occurring on the Grantors' property, unless due to an act or omission of the Township, its employees and agents, the Grantors will hold harmless and indemnify the Township, its officers, employees agents and their successors and assigns from such liability or claims; and

The Township agrees to indemnify and hold harmless the Grantors from and against all claims, actions, demands, and liabilities based on property damage and/or personal injury including wrongful death occasioned by an act or omission of the Township, its agents, employees, invites, servants, successors or assigns in connection with construction within this easement.

In Witness Whereof, the said Grantors and Grantee have hereunto fixed their hands and seals on this _____ day of _____, 2013.

GRANTORS:

Witness:

Lawrence Houston

Print Name and Title

Feather Houston

Print Name and Title

GRANTEE:
TOWNSHIP OF CRANBURY

Attest:

Glenn Johnson, Mayor

Kathleen Cunningham, Clerk

ACKNOWLEDGEMENT

GRANTOR

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