

TOWNSHIP COMMITTEE MEETING
February 27, 2012

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: Susan Goetz, Glenn Johnson, Daniel Mulligan, Jay Taylor and Mayor David Cook. Also present were Bill Tanner, Township Engineer; Denise Marabello, Township Administrator/Director of Finance; and Kathleen R. Cunningham, Municipal Clerk/Assistant Administrator. Mayor Cook 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 November 29, 2011 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 November 29, 2011.
- (3) Was filed on November 29, 2011 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 23, 2012

On motion by Mr. Mulligan, seconded by Mr. Taylor and unanimously carried, the Regular Township Committee Minutes of January 23, 2012 were adopted.

Special Township Committee Budget Meeting Minutes of February 4, 2012

On motion by Mr. Mulligan, seconded by Mr. Johnson, (and with Mr. Mulligan voting nay), the Special Township Committee Budget Meeting Minutes of February 4, 2012 were adopted.

Regular Township Committee Minutes of February 6, 2012

On motion by Mr. Mulligan, seconded by Mr. Johnson and unanimously carried, the Regular Township Committee Minutes of February 6, 2012 were adopted.

Closed Session Minutes of February 6, 2012

On motion by Mr. Mulligan, seconded by Mr. Johnson and unanimously carried, the Closed Session Minutes of February 6, 2012 were adopted.

Agenda Additions/Changes

Mayor Cook reported a change in the order of the agenda, stating he would open Public Comment at this point for any comments or questions on agenda items. Mayor Cook explained this meeting may run long due to the Brainerd Lake Dam/Bridge presentation, and he wanted to provide an opportunity for residents to ask questions on agenda items early in the meeting.

Public Comment

The Mayor opened the meeting to public questions and comment:

Mr. Jim Gallagher, Station Road, asked if any improvements could be made to the plans for the Dam Project to allow for fish passage downstream to upstream. Mr. Gallagher asked if additional testing should be done to determine the condition of the interior of the Dam. Mayor Cook confirmed with Najarian Associates these questions would be addressed during the presentation.

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Public Comment (Continued)

Ms. Joan McGee, Stony Brook-Millstone Watershed Association, stated the Association is supporting the Environmental Commission and stated fish passage is important to the environment.

There being no further public comments, the Mayor closed the public part of the meeting.

Ordinance

First Reading

Cranbury Township Ordinance 02-12-05

An Ordinance entitled, Cranbury Township Ordinance # 02-12-05 "A BOND ORDINANCE AUTHORIZING THE PURCHASE OF TWO MARKED CHEVY TAHOE SUVs AND ONE UNMARKED CHEVY TAHOE SUV APPROPRIATING \$111,400 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$105,830 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF" was introduced on first reading. On motion by Mr. Johnson, seconded by Ms. Goetz, the Ordinance was passed on first reading by vote:

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

Nays: (None

Second Reading: March 12, 2012 at 7:00 p.m.

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:

Section 1. The several improvements described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Cranbury, in the County of Middlesex, New Jersey (the "Township") as a general improvement. For the several improvements or purposes described in Section 3, there is hereby appropriated the sum of \$111,400, including the sum of \$5,570 as the down payment required by the Local Bond Law. The down payment is available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$105,830 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.

Section 3.

- (a) The improvement hereby authorized and the purpose for financing of which the bonds are to be issued to purchase Chevy Tahoe SUVs.
- (b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is stated in Section 2 hereof.
- (c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

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Ordinance
First Reading

Cranbury Township Ordinance 02-12-05
(Continued)

Section 4. 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.

Section 5. 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.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 5 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 \$105,830 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$11,140 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement 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.

Section 8. 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

TOWNSHIP COMMITTEE MEETING
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Ordinance
First Reading

Cranbury Township Ordinance 02-12-05
(Continued)

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.

Section 9. 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.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Resolutions

On a motion offered by Mr. Mulligan, seconded by Mr. Johnson, the following Resolution was adopted by vote:

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

Nays: (Taylor

Resolution

**CRANBURY TOWNSHIP RESOLUTION R 02-12-029
2012 MUNICIPAL BUDGET**

of the Township of Cranbury, County of Middlesex for the fiscal year 2012.

Revenue and Appropriation Summaries

Summary of Revenues	Anticipated	
	2012	2011
1. Surplus	\$1,371,000.00	\$1,704,000.00
2. Total Miscellaneous Revenues	\$2,996,479.59	\$3,551,833.28
3. Receipts from Delinquent Taxes	\$ 123,789.00	\$ 113,000.00
4. a) Local Tax for Municipal Purposes	\$5,777,464.79	\$5,754,735.06
b) Addition to Local District School Tax		

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Resolution

CRANBURY TOWNSHIP RESOLUTION R 02-12-029
2012 MUNICIPAL BUDGET
(Continued)

Revenue and Appropriation Summaries

c) Minimum Library Tax	\$554,069	\$572,604
Tot Amt to be Raised by Taxes for Mun Budget	\$6,331,533.79	\$6,327,339.06
Total General Revenues	\$10,822,802.38	\$11,696,172.34
<u>Summary of Appropriations</u>	<u>2012 Budget</u>	<u>Final 2011 Budget</u>
1. Operating Expenses: S&W	\$3,167,610.22	\$3,276,389.38
Other Expenses	\$5,190,646.57	\$6,055,630.30
2. Deferred Charges & Other Appropriations	\$25,000.00	\$25,000.00
3. Capital Improvements	\$20,000.00	\$40,000.00
4. Debt Service (include for School Purposes)	\$2,246,530.59	\$2,149,726.86
5. Reserve for Uncollected Taxes	\$173,015.00	\$149,425.80
Total General Appropriations	\$10,822,802.38	\$11,696,172.34
Total Number of Employees	68	70

Balance of Outstanding Debt

Interest in 2012	\$364,498.88
Principal in 2012	\$1,506,127.05
Outstanding Balance (12/31/11)	\$20,019,133

Notice is hereby given that the budget and tax resolution was approved by the Township Committee of the Township of Cranbury, County of Middlesex on February 27, 2012.

A hearing on the budget and tax resolution will be held in the Committee Meeting Room, Town Hall, 23A North Main St, on March 26, 2012 at 7:00 o'clock PM at which time and place objections to the Budget and Tax Resolution for the year 2012 may be presented by taxpayers or other interested persons.

Copies of the budget are available in the office of the Township Clerk at the Municipal Building, 23A North Main Street, Cranbury, NJ, (609) 395-0900, ext. 234 during the hours of 8:00 AM to 4:00 PM, Monday through Friday.

Resolutions

Consent Agenda

Mayor Cook summarized the Consent Agenda Resolutions and asked the Township Committee if there were any questions or comments. Mr. Taylor suggested Mayor Cook give a brief summary of the Kurek Farmland Preservation Resolution. Mayor Cook reported Cranbury Township has done an excellent job preserving open space and was approached about two (2)

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Resolutions

Consent Agenda (continued)

years ago by Middlesex County Agriculture Board regarding the Kurek property. The property consists of approximately 164 acres and is located off Brickyard Road, and Mayor Cook reported the property owner wanted to submit the property for preservation by selling developing rights. Mayor Cook reported the negotiations were successful, and he explained adopting this Resolution allows the Township to proceed with the acquisition.

On a motion offered by Mr. Mulligan, seconded by Mr. Johnson, the following Consent Agenda Resolutions were adopted by vote:

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

Nays: (None

Cranbury Township Resolution # R 02-12-030

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 02-12-031

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board of February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Cranbury has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2012 budget year.

NOW THEREFORE, BE IT RESOLVED by the governing body of the Township of Cranbury that in accordance with N.J.A.C. 5:30-7.6a&7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve or uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.

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Resolutions
Consent Agenda

Cranbury Township Resolution # R 02-12-031
(Continued)

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exemptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are full met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are responsible, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Cranbury Township Resolution # R 02-12-032

WHEREAS, the Middlesex County Agriculture Development Board has received the following application for the FY 2012 round of Easement Purchase Applications for the Middlesex County Farmland Preservation Program:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Location</u>	<u>Est. Mun. Share</u>	<u>Acres</u>
Ronald C. and Patricia A. Kurek	14	3 & 4.02	3 Wyckoff Mills Road	Approx. \$ 1,550/acre (\$241,800)	Approx. 156

; and

WHEREAS, the easement purchase is approximately \$1,550/acre, for a total Middlesex County share of \$ 241,800; and

WHEREAS, the Township of Cranbury's share of the easement purchase will be 20%;
and

WHEREAS, the Township of Cranbury wishes to support said application for farmland preservation;

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Resolutions
Consent Agenda

Cranbury Township Resolution # R 02-12-032
(Continued)

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that it hereby endorses the above application for farmland preservation and hereby agrees to provide financial support for its local share of the costs of the easement purchase.

Cranbury Township Resolution # R 02-12-033

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, including \$3,566 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 \$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

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.

Township of Cranbury
County of Middlesex

Cranbury Township Resolution #R-02-12-034

ADOPTING TEMPORARY CAPITAL BUDGET FOR 2012

WHEREAS, the Township of Cranbury adopted a temporary budget,

WHEREAS, the Township of Cranbury desires to amend the 2012 Temporary Capital Budget of said municipality,

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

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Consent Agenda

Cranbury Township Resolution #R-02-12-034
(Continued)

SECTION 1. The 2012 Temporary Capital Budget of the Township of Cranbury is hereby constituted by the adoption of the following schedule:

PROJECTS SCHEDULED FOR 2012

Project	Estimated Costs	<u>Method of Financing</u>		
		Capital Improvement Fund	Debt Authorized	Funded by Fire Company
Equipment Storage Barn Supplement	\$150,000	\$7,500	\$142,500	
Fire Brush Truck Supplement	\$22,690	\$0	\$0	\$22,690
2 Marked Police Chevy Tahoe SUVs	\$73,400	\$3,670	\$69,730	
1 Unmarked Police	\$38,000	\$1,900	\$36,100	

SECTION 2. The Clerk be and is authorized and directed to file a certified copy of this Resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after adoption of these projects for the 2012 Temporary Capital Budget, to be included in the 2012 Permanent Capital Budget as adopted.

Cranbury Township Resolution R 02-12-035

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIENHOLDER**

WHEREAS, at the Municipal tax sale held on October 11, 2011, a lien was sold on Block 18.07 Lot 35.06 known as 9 Danser Drive for 2010 delinquent sewer charges; and

WHEREAS, this lien, known as Tax Sale Certificate#11-00002 was sold to US Bank Cust/ Sass Muni VI DTR; and

WHEREAS, PNC Mortgage has effected redemption of Certificate#11-00002 in the amount of \$973.03 for March 15, 2012; and

WHEREAS, a premium of \$300.00 was received from US Bank Cust/Sass Muni VI DTR at the time of the tax sale, which will also have to be returned to them; and

WHEREAS, the total amount due to Sass Muni VI DTR is \$2,181.32

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector be authorized to issue a check in the amount of \$1,881.32 from the Lien Redemption Account, and an additional check authorized in the amount of \$300.00 from the Current Fund Account, both payable to US Bank Cust/Sass Muni VI DTR Tax Lien Services Group, 50 South 16th Street, Philadelphia, PA 19102

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Resolutions
Consent Agenda

Cranbury Township Resolution # R 02-12-036

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

**A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT FOR
COUNSELING SERVICES TO THE CHILDREN'S HOME SOCIETY OF NEW JERSEY**

WHEREAS, there exists a need for counseling services under the Municipal Alliance in the Township of Cranbury (the "Township") in the County of Middlesex, State of New Jersey; and

WHEREAS, The Children's Home Society of New Jersey has submitted a proposal to perform said services; and

WHEREAS, the Chief Financial Officer has certified funds are available; and

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

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

1. The Children's Home Society of New Jersey is hereby retained to provide counseling services to the Township for the period commencing January 1, 2012 through December 31, 2012; and
2. The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with The Children's Home Society of New Jersey subject to approval of the Township Committee.
3. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), because it is for services performed by persons authorized by law to practice a recognized profession.
4. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Township.
5. A notice of this action shall be published in the official newspaper with ten (10) days of said contract as required by law.

Cranbury Township Resolution # R 02-12-037

WHEREAS, Roopinder Grewal, MD has submitted an application to serve as a regular member on the Cranbury Township Board of Health; and

WHEREAS, a vacancy presently exists for a three-year term for said appointment; and

WHEREAS, John Jackson, Chairman of the Cranbury Township Board of Health has sent an email, dated February 15, 2012, indicating he fully supports the appointment of Roopinder Grewal, MD to the Cranbury Township Board of Health;
Resolutions

TOWNSHIP COMMITTEE MEETING
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Consent Agenda

Cranbury Township Resolution # R 02-12-037
(Continued)

NOW, THEREFORE BE IT RESOLVED, the Township Committee of the Township of Cranbury hereby appoints Roopinder Grewal, MD to serve on the Cranbury Township Board of Health for a three-year term.

BE IT FURTHER RESOLVED, a certified copy of this resolution be given to Roopinder Grewal, MD and the Cranbury Township Board of Health.

Work Session

- a) Najarian Associates, Middlesex County Engineering Consultants, gave a presentation on the proposed Brainerd Lake Dam Project and answered questions.

Mayor Cook reported Brainerd Lake Dam/Bridge requires structural repairs which could no longer be delayed as the State was going to start fining the Township for not making repairs to the Bridge. Mayor Cook introduced the Mr. Vajira Gunawardana and Mr. Peter Ciliberto, from Najarian Associates, who are the Engineers overseeing the construction/repair program to bring the Bridge back to Code per the State's direction.

Mr. Gunawardana reported Najarian Associates was hired by Middlesex County to repair the Bridge and Dam to meet current New Jersey Department of Environmental Protection Dam Safety Standards. He reported they would address deficiencies outlined in the 2007 Regular Dam Inspection Report that had not been corrected, and stated this is a Dam Rehabilitation Project, and not a Flood Control Project. He reported the permits for the construction project will be filed in the Spring 2012, with bids accepted and construction starting in the Fall. The construction project is estimated to take one (1) year for completion.

Mr. Gunawardana reported inspections of the Bridge/Dam included a Field Survey/Visual Inspection, a geotechnical investigation, structural investigation and hydrologic/hydraulic analysis. The structural investigation determined the existing spillway repaired in 1991 and the concrete curb at base constructed in 1991 are structurally sound and in good condition; however, there is seepage observed around and under the spillway, and the sluice gate and the upstream wall and cap are in poor condition. He reported the deficiencies of the 2007 Report will be addressed, including repairing the downstream Dam wall and stone wall; providing permanent stream bank protection downstream of culvert, removing trees growing on the crest and downstream slope of the Dam. In addition, deteriorated concrete caps and metal handrails, loose stones, existing concrete walk, cap and rails will be repaired or replaced. The existing outlet control structure spillway to safely pass design flood will be modified or replaced, and the existing access bridge to the low level outlet operator will be replaced.

Mr. Gunawardana reported some proposed improvements will include repairing the downstream wall, resetting loose stones, repointing grout, reconstructing walls to previous alignment, providing permanent slope protection to north bank, removing trees on slope, removing trees growing on the dam crest and downstream slope and replacing with potted trees and/or shrubs. He stated the outlet control structure will be modified or replaced and the existing 34' spillway will be removed and replaced with a 100' spillway. He reported the existing access bridge will be replaced. Other improvements of the project include a proposed roadway width 30' over dam, extending the iron rails on the downstream north side, and raising the driveway entrance to the athletic fields by 4.5 inches.

Mayor Cook stated the 30' road is within the regulation lane size and will provide a large greenway on both sides of the street with the sidewalks running behind the benches. Mayor Cook stated the narrower road will slow down traffic and enhance the aesthetic value of the Bridge.

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Work Session

- a) Najarian Associates, Middlesex County Engineering Consultants, gave a presentation on the proposed Brainerd Lake Dam Project and answered questions.

(Continued)

Mr. Johnson asked how the roadway could be worked on without closing the road, and Mr. Ciliberto stated half the roadway will be done at one time. Mr. Taylor asked how long the road work would take since the Township would need police staff available to direct traffic. Mr. Ciliberto stated dropping the roadway would probably take approximately three (3) to four (4) months.

Ms. Goetz asked about the possibility of a fish ladder being incorporated into the design, and Mr. Gunawardana stated he did not recommend a fish ladder because an obstruction of any kind would slow down the flow of water through the culvert. Mr. Ciliberto stated the dirt bottom could be channeled so water would be concentrated in the center allowing fish to pass into the spillway area and back into the stream. He reported this will not allow fish to come upstream to get into the Lake because of the seven (7) to eight (8) foot fall. He stated it is not a ladder; however it will prevent fish from becoming trapped in the spillway area.

Mr. Mulligan asked about lowering the water level of Brainerd Lake, and Mr. Ciliberto stated a permit will be obtained to lower the water sometime in the fall. Once the water level is lowered, it will remain lowered for the duration of the construction project. Mr. Ciliberto stated once the spillway work is complete, the water level can be raised.

Mr. Mulligan stated three (3) options were offered, and the Township has selected a hybrid of Options 1 and 2. He asked if there was any additional construction the Township could do for more protection. Mr. Ciliberto stated they are doing as much as possible with the culvert, and he and Mr. Gunawardana gave an overview of water level ratios, overtopping scenarios and corresponding water flow directions which should reduce flooding. Mr. Taylor asked how the houses on the northeast side of the Lake would be protected, and Mr. Ciliberto responded while there may still be flooding, the water levels will be less. Mr. Taylor stated his concern that funds are being spent to protect the other side of the road and wanted to be sure the northeast houses on the northeast side would be protected as well.

Ms. Goetz asked how soon the project could be started, and Mr. Ciliberto stated there is still a lot of work to do before the project starts. Ms. Goetz asked if construction does not start by the fall, would the Township have to wait until next fall to lower Brainerd Lake. Mr. Ciliberto stated permits will be submitted to lower Brainerd Lake this fall, and that is the time the Lake would have to be lowered or the project would have to wait until next year.

Public Comment on Brainerd Lake Project

The Mayor opened the meeting to public questions and comments concerning the Brainerd Lake Dam Project.

Mr. Bob Demers, Evans Drive, stated his backyard backs up to Brainerd Lake and asked for clarification on how lowering the road will not affect the height of the Dam. Mr. Ciliberto stated the control of the Dam is the wall across the Dam base and the spillway. There was additional discussion concerning the lowering of the road, the cost of additional construction, and the inconvenience of Main Street being closed if additional work were to be done. Ms. Goetz confirmed discussions were held to weigh the best option at the best cost.

Mr. Jack Frohbeiter, Cranbury Neck Road, stated the construction is being classified as a rehabilitation project and not a flood control project, and he stated for spending \$3 million, it would be beneficial if the Dam could also address flooding. Mr. Frohbeiter stated he is a member

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Public Comment on Brainerd Lake Project
(Continued)

of the Methodist Church, which had to spend \$40,000 repairing flood damage caused by Hurricane Irene.

Ms. Suzanne Palocz, North Main Street, stated she feels if the flooding issue is not being addressed, the Township is wasting its money. Mr. Ciliberto explained how the walls will be reinforced and constructed. Ms. Palocz asked if there will be vibrations during construction, and Mr. Ciliberto confirmed there will not be vibrations. Ms. Palocz asked what construction will be done on the side near her property, and Mr. Ciliberto gave an overview of the project on the west side and addressed Ms. Palocz's concerns.

Mr. Stuart Long, South Main Street, stated if monies are being spent to fix Dam, the construction plans should include fishway to enable fish to move back and forth between the waterways. Mr. Long suggested seeking grants to help with construction. Mayor Cook stated a fishway is being considered or it may be a retrofit in the future. He stated Mr. Bill Tanner, Township Engineer, is investigating it. Mayor Cook stated there are no guarantees; however, there will be follow-up on the issue. Mr. Long stated there are fuel tanks in the Lake that need to be removed, and Mr. Cook asked Mr. Long to contact him with the location of the tanks.

Ms. Connie Bauder, Petty Road, asked if there would be an automatic water system in the proposed potted trees along the Dam. Mayor Cook stated the number of potted plants is uncertain, and the method of planting has not yet been determined. Ms. Goetz stated it is unfortunate the trees have been to be removed, and suggested seeking the Shade Tree Commission's input concerning plantings. Mayor Cook stated the types of trees, root structure, and type of ornamental or blossoming trees will be selected with the Shade Tree Commission's input. Ms. Bauder stated the watering system Hightstown uses works well and suggested Cranbury contact Hightstown for information.

Mr. Frank Marlowe, North Main Street, thanked Najarian Associates for their presentation. Mr. Marlowe stated once the water comes over the road, the road becomes a spillway. He asked if there is any way to keep the water off the street and directly back into the river to keep it away from the houses. Mr. Marlowe asked if the project could start sooner since hurricane season would precede the construction. Mr. Gunawardana stated the project has not gone to the DEP yet. Mr. Marlowe questioned if there was something Cranbury could do to speed up the project

Ms. Goetz asked how soon the project could be started, and Mr. Ciliberto stated there is still a lot of work to do before the project starts. Ms. Goetz asked if construction does not start by the fall, would the Township have to wait until next fall to lower Brainerd Lake. Mr. Ciliberto stated permits will be submitted to lower Brainerd Lake this fall, and that is the time the Lake would have to be lowered or the project would have to wait until next year. Ms. Goetz stated Brainerd Lake must be lowered before animal life starts to hibernate. Mr. Ciliberto stated Najarian Associates will be filing for all permits, and the Township will be notified when permits are received.

Mr. Richard Kallan, Wynnewood Drive, asked about the railings along the Lake, and Mr. Ciliberto stated the railings on both sides of the roadway will be treated the same. Mr. Kallan asked about the possibility of having a segmented curb which would act as a spillway for overflowing water. Mr. Ciliberto stated the roadway would be the same level on both sides. Mayor Cook stated the area will be looked at to ascertain it is flush. Mr. Kallan asked about the price of the project, and Mr. Ciliberto confirmed the cost is currently at \$3 million. Mr. Kallan asked about installing a second culvert equal to the present culvert, and asked what the increase in cost would be. He stated that would not be a "Dam rebuild", and stated the scope of the project is to maximize the use of the existing culvert. Discussion continued concerning the amounts of water flowing through one (1) or two (2) culverts and what the increase in cost would

TOWNSHIP COMMITTEE MEETING
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Public Comment on Brainerd Lake Project
(Continued)

be. Mr. Kallan stated since all the other work is being done, it would be advantageous to add a second culver to avoid future flooding from major storms. Mr. Ciliberto stated the cost would be approximately another \$1.5 million just for the spillway, and Mr. Bill Tanner, Township Engineer stated there would be many additional costs associated with the roadway, utilities, and the Dam itself. Mr. Tanner stated there would be many construction complications in adding a second hole under the Dam. Mr. Tanner explained the Committee looked at the three (3) construction options and the goal was to get the best option for the money. He stated again this is not a flood control project, and he stated the attempt is to squeeze every additional benefit from the project. Ms. Goetz confirmed, however, the Township is receiving some flood protection from the construction improvements to the Dam. Mr. Kallan recommended making the low point of the spillway as far south as possible.

Mr. Geoff Forrest, Maplewood Avenue, stated public safety is a high priority and asked about the slopes analysis on the Dam. Mr. Gunawardana stated the calculations were done by Najarian's geotechnical consultant, and he stated he can obtain the report and make it available to the Township. Mr. Forrest asked if there were any surveys recorded before and after Hurricane Irene because of the changing profile and condition of the Dam. Mr. Forrest stated he feels the conditions of the dam have been assessed thoroughly and appreciates the work Najarian Associates has done on the project. However, Mr. Forrest stated the area was surveyed before Hurricane Irene and he stated a new post-Irene base-line survey should be completed.

Mr. Mulligan asked if the survey would be done, and Mayor Cook stated he assumes before work starts the area would be assessed and any shifting would be addressed as shifting.

Mr. Mark Berkowsky, North Main Street, stated he was representing the Historical Society, and stated he understood the historical elements of the Bridge were going to be saved. He asked the Township Committee if items were going to be taken down and restored, and also asked what was going to happen to the current railings by the Lake. Mr. Ciliberto stated the rails on both sides of the road would be replaced with a four (4)-rail system. Mayor Cook reported the railings and lighting will be coordinated with the Historical Society. Mayor Cook stated he saw samples of the new railings and reported the railings are very similar in style to the current railings. He stated the railings are rubberized and coated with an outer paint to reduce maintenance issues. Mayor Cook reported the new railings will also reduce the access to the Lake.

Mr. Peter Meyer, North Main Street, asked if any consideration was given to dredging the Lake. Mayor Cook stated the Lake was dredged in the 1970's. He stated dredging is very expensive and disposing the sediment would be difficult. Mayor Cook stated the dredging is an environmental consideration and the Township is looking into securing Federal and State grants in the future.

There being no further public comments, the Mayor closed the public part of the Work Session.

Mayor's Notes

Mayor Cook appointed Marilee Nissen as a member of the Shade Tree Commission for a five (5) year term. He stated the Shade Tree Commission is very valuable to Cranbury on two levels, where to plant trees the Township received from the Turnpike and the replacement of older trees over time.

Mayor Cook stated a goal of the Township Committee is to widen communication on significant issues affecting Cranbury. Mayor Cook reported the budget is a significant issue and pricing was determined on sending out budget information via a direct mail. The total cost of printing, paper and postage is \$1,114. Mayor Cook stated he is in favor of mailing out the budget information. All other members agreed on sending out the communication to residents.

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On a motion by Mr. Mulligan, seconded by Mr. Johnson, and unanimously carried, the meeting adjourned at 9:10 p.m.

Kathleen R. Cunningham, RMC
Municipal Clerk