

TOWNSHIP COMMITTEE MEETING
October 8, 2012

The Closed Session Meeting of the Township Committee of the Township of Cranbury was held at 6:30 p.m. in the Town Hall Meeting Room. The regular meeting started at 7:00 p.m. Answering present to the roll call were Township Committee members: Susan Goetz, Glenn Johnson, James Taylor, and Mayor David Cook. Mr. Mulligan was absent. Also present were William Tanner, P.E., Township Engineer; Denise Marabello, Township Administrator/Director of Finance; and Kathleen 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.

Ms. Cunningham stated a notice of the change in the time (Closed Session) was sent out on October 3, 2012.

Resolution

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

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

Cranbury Township Resolution # R 10-12-127

RESOLUTION TO CLOSE MEETING TO THE PUBLIC

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

The general nature of the subject to be discussed in this session is as follows:

- N.J.S.A. 10:4-12b (7) Anticipated Litigation: Discussion of the potential for real property tax appeal litigation.

TOWNSHIP COMMITTEE MEETING
October 8, 2012

Cranbury Township Resolution # R 10-12-127
(Continued)

It is unknown at this time precisely when the matters discussed in this session will be disclosed to the public. Matters involving contract negotiations or the acquisition of land will be disclosed upon conclusion of the negotiations or upon approval of the acquisition. Matters involving personnel will be disclosed when the need for confidentiality no longer exists. Matters concerning litigation will be announced upon the conclusion of trial or settlement of that litigation or when the need for confidentiality no longer exists.

On motion by Mr. Taylor, seconded by Mr. Johnson and unanimously carried, the Township Committee returned to Open Session:

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

Resolution

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

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

CRANBURY TOWNSHIP RESOLUTION # R 10-12-128

TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX
STATE OF NEW JERSEY
AUTHORIZING CHALLENGE TO RATIO TABLES ADOPTED
BY DIRECTOR, DIVISION OF TAXATION FOR 2012/2013

WHEREAS, the Director, New Jersey Division of Taxation promulgated the Table of Equalized Valuations for 2012 ("School Aid Table") and the Chapter 123 Ratio Table for 2013, each reflecting a ratio of assessments to true value for Cranbury Township of 81.58%; and

WHEREAS, the Township Committee of the Township of Cranbury has been advised by its Tax Assessor and consultants that said ratio is inaccurate and requires revision; and

WHEREAS, the Township Committee of the Township of Cranbury believes that said ratio should be subject to judicial review before the Tax Court of New Jersey to correct the ratio;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Cranbury, County of Middlesex and State of New Jersey authorizes its special tax counsel, Harry Haushalter, Esquire, to file the necessary documents with the Tax Court of New Jersey to

TOWNSHIP COMMITTEE MEETING
October 8, 2012

Cranbury Township Resolution # R 10-12-128
(Continued)

challenge the 2012/2013 ratio promulgated by the Director, Division of Taxation, State of New Jersey; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Township of Cranbury Tax Assessor, Steven Benner, is authorized on behalf of the Township Committee of the Township of Cranbury to approve the settlement of said ratio appeal.

Resolution

Mayor Cook read the following Resolution and then presented it to Mahbubeh Stave and indicated it will be hung in the hallway of Town Hall:

On a motion by Mr. Taylor, seconded by Ms. Goetz, the following Resolution was adopted by vote:

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

Cranbury Township Resolution # R 10-12-120

WHEREAS, in 1896 The Cranbury School was built for use by elementary-age children in Cranbury Township until 1968 at which time a new school was built; and

WHEREAS, in 1966 a group of residents formed "Save the Old School Committee" to prevent the demolition of the School realizing its historic value and significance to Cranbury Township; and

WHEREAS, in 1971, after five (5) years of soliciting small donations from residents throughout the Township who cared deeply to preserve such a wonderful treasure, the Committee was able to save the School; and

WHEREAS, the following members are to be commended and thanked for undertaking such a challenging task:

Charles Amend
Clara Amend
Donald Armstrong
Bill Bunting
Jake Cook
Mary Morgan
Magnus Ostergaard
Kate Shankweiler
Lewis Spence
Mahbubeh Stave
Emma Stults
Stan Tarr
Barbara Thomsen
Norman Wright

TOWNSHIP COMMITTEE MEETING
October 8, 2012

Cranbury Township Resolution # R 10-12-120
(Continued)

and;

WHEREAS, the School building was then used as office and retail space until the Township Committee purchased the building from the School to be used as what is known as "Town Hall"; and

WHEREAS, Town Hall is a valued asset to the Township;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury that it hereby conveys its gratitude to "Save the Old School Committee" and all its members for a job well done!

Regular Township Committee Minutes of September 24, 2012.

Mayor Cook asked if there were any changes to the Minutes of September 24, 2012, and hearing none, asked for a motion to approve the Minutes. On motion by Mr. Johnson, seconded by Mr. Taylor and unanimously carried (with Mr. Mulligan being absent), the Regular Township Committee Minutes of September 24, 2012 were adopted.

Reports and Communications

--Mayor

Mayor Cook reported he attended the "Beautification Subcommittee" Meeting on October 3rd. He also discussed the Brainerd Lake Bridge and Dam concepts.

Reports and Communications

--Members of Committee

Ms. Goetz reported she also attended the "Beautification Subcommittee" Meeting. She reported approximately 30 residents attended the meeting. She attended the Board of Health meeting and reported 99 animals received the Rabies vaccine. Ms. Goetz reported a complaint about barking dogs by residents who live on Petty Road was heard at the Board of Health meeting. Ms. Goetz indicated this is an ongoing problem throughout the Township and even if the Police are called, by the time they arrive, usually the dog(s) stop barking.

Mr. Johnson reported at the last Township Committee meeting two (2) members of the Human Services Board came to speak about the Board needing help running functions. He stated he and Mr. Mulligan met with them and suggested the Human Services Board join the Recreation Board. Mr. Taylor cautioned the Human Services Board is responsible for other services, i.e., social services. Ms. Marabello explained any social services issues are handled by Middlesex County Department of Social Services and not by Cranbury Township's Human Services Board. Ms. Marabello indicated going forward, this process will remain.

Mr. Taylor reported the construction fees have increased for the month of September. There were 13 building permits issued for a total of \$35,821. (Papa Johns and Petco have submitted applications to retrofit their warehouses.) Other permits issued include: 19 electrical for a total of \$16,260; 17 plumbing for a total of \$1,629; and four (4) fire permits for a total of \$1,386. The inspections for September were: 58 building, 36 electrical, 22 plumbing and seven (7) fire inspections. There were 28 residential and 12 non-residential certificate of approvals issued in September. Mr. Taylor reported this is the first time the amount of fees collected has gone up.

Mr. Taylor reported vehicle maintenance costs for October included replacing the throttle body on Truck # 501, and replacing high pressure oil line and exhaust temperature sensor on Truck # 504 for a total expenditure of \$1,616.

TOWNSHIP COMMITTEE MEETING
October 8, 2012

Agenda Additions/Changes

Ms. Cunningham, Municipal Clerk, recommended Cranbury Township Resolution # 10-12-129 be considered after the Work Session as it is for the Work Session item.

Resolutions

Consent Agenda

Mayor Cook gave a brief summary of the Resolutions and asked the Township Committee if there were any questions or comments. On a motion by Mr. Johnson, seconded by Mr. Taylor, the following Consent Agenda Resolutions were adopted by vote:

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

Cranbury Township Resolution # R 10-12-121

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 # R 10-12-122

RESOLUTION PROVIDING FOR THE INSERTION
OF A SPECIAL ITEM OF REVENUE IN THE MUNICIPAL BUDGET
OF THE TOWNSHIP OF CRANBURY PURSUANT TO N.J.S.A. 40A:4-87
(CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

Section 1

NOW, THEREFORE, BE IT RESOLVED that the Township Committee hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$5,408.89 which item is now available as a revenue from State of New Jersey pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$5,408.89 is hereby appropriated under the caption "Drunk Driving Enforcement".

TOWNSHIP COMMITTEE MEETING
October 8, 2012

CRANBURY TOWNSHIP # R 10-12-122
(Continued)

Section 3

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

- (a) Director of the Division of Local Government Services
- (b) Township Auditor
- (c) Director of Finance

Cranbury Township Resolution # R 10-12-123

TOWNSHIP OF CRANBURY
RENEWING A CONTRACT FOR CLEANING SERVICE
PURE CLEANING SERVICES

WHEREAS, six (6) bids were received on September 7, 2011 for Township of Cranbury Cleaning Service Contract; and

WHEREAS, the contract was awarded to Pure Cleaning Services, Bound Brook, NJ at the price of \$19,920.00 annually for a one year period; and

WHEREAS, pursuant to N.J.S.A. 40A:11-15 the bid was for a period of two (2) years, said contract being awarded for a period of one (1) year with the Township reserving the right to renew at the end of the one-year period for a total aggregate contract of two (2) years; and

WHEREAS, the Purchasing Agent and Public Works Superintendent have reviewed the services provided and recommend that the contract be renewed for an additional one-year period, commencing on October 31, 2012 through October 30, 2013 in the amount of \$21,600.00; and

WHEREAS, the CFO has certified the funds for this expenditure are available in the 2012 budget; and

WHEREAS, funds for the remainder of this contract shall be made available in the 2013 budget;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Cranbury that the contract for Cleaning Service in the Township of Cranbury is hereby renewed with Pure Cleaning Services of Bound Brook, New Jersey for a one year period ending October 31, 2013 in the amount of \$21,600.00 annually.

Cranbury Township Resolution # R 10-12-124

WHEREAS, a "Retention Agreement for Neutral Services under ADR Process Order" with FTI Consulting, Inc. ("FTI") in the matter of *Castoro & Co., Inc. v. Borough of Princeton, et al.* is required; and

WHEREAS, all "Opt-In" parties are required to sign and submit a signed Agreement to FTI ;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the Mayor and Clerk are hereby authorized to execute said Agreement.

TOWNSHIP COMMITTEE MEETING
October 8, 2012

Cranbury Township Resolution # R 10-12-125

A RESOLUTION AUTHORIZING THE TOWNSHIP OF CRANBURY
TO ENTER INTO A COOPERATIVE PRICING AGREEMENT
WITH CRANFORD TOWNSHIP

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Cranford Police Cooperative Pricing System (ID # 47-CPCPS), hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on October 8, 2012 the governing body of the Township of Cranbury, County of Middlesex, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Cranbury with Cranford Township ("Lead Agency"); and

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Mayor and Clerk are hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

Cranbury Township Resolution # R 10-12-126

WHEREAS, the Tax Collector, Ross E. Maszczak has certified that the following taxpayers overpaid their taxes; and

WHEREAS, the Tax collector is requesting that the overpaid taxes be refunded,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the following overpayment be refunded:

<u>Taxpayer</u>	<u>Refund</u>
PAYEE: Allied Title	\$2,306.60
3 Laurel Dr.	
Flanders, NJ 07836	
OWNER: Franke, Michael & Rebecca	
LOCATION: 24 Station Rd.	
BLOCK: 18 LOT: 18 QUALIFIER: N/A	

TOWNSHIP COMMITTEE MEETING
October 8, 2012

Cranbury Township Resolution # R 10-12-126
(Continued)

Total	\$2,306.60
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Reports from Township Staff and Professionals

--Administrator's Report – Ms. Marabello had nothing to report.

--Assistant Administrator's Report – Ms. Cunningham had nothing to report.

Reports from Township Boards and Commissions

Mr. John Jackson, Chairman of the Board of Health, suggested the Township conduct an on-line census for dog and cat licensing. However, he stressed with the Township Committee that the on-line census for dog licensing may not take the place of the statutorily-required State Dog Census. Mr. Jackson reported there were 189 dog licenses and 30 cat licenses issued to date for 2012 compared to 248 dog licenses and 24 cat licenses issued in 2011.

Work Session

a). Discussion of NJDOT Grant Application Options

The Township Committee discussed various options for the upcoming NJDOT grant application to be submitted by Mr. Bill Tanner, Township Engineer. Mr. Tanner reported Cranbury Township can submit for two (2) grants, which may not be in the same category. A grant application will be submitted for the second phase of the downtown beautification project, which is considered a "Quality of Life" grant. The other grant application will be to repair a roadway. The roads needing repair include Cranbury Brickyard Road, Petty Road and John White Road.

Mr. Tanner stated only half of John White Road would be repaired as the other half belongs to Plainsboro Township. He suggested applying for a grant jointly with Plainsboro in the future to have the entire roadway paved.

At the September Township Committee meeting, residents expressed concern about the conditions of Petty Road. Mr. Tanner went out to look at Petty Road and met with resident, Ms. Connie Bauder, who had pictures of Petty Road when the paving work was done in 1995. Dry wells installed at that time have been ineffective. Mr. Tanner stated the road's drainage consists only of the dry wells, which were full of water when he went to survey the road days after any rainfall. In order to repair the road, the Township would have to remove the existing road, replace the drainage system and repave the road. Mr. Tanner stated the drainage is critical and must be replaced before any road work is started. He stated the roadway varies in width between 16 and 17 feet. The pavement is sinking and breaking up along the edges, which forces cars to travel along the center line. Mr. Tanner recommended the entire road be totally reconstructed and a storm drainage system with an outlet to a brook or other discharge point be constructed. He predicted the work on Petty Road would cost over \$1-million, not including permit and engineering costs and acquiring drainage easement rights. Mr. Tanner stated he could not recommend applying for the NJDOT grant for work on Petty Road at this time.

Ms. Marabello stated repairs to Petty Road can be added to the Capital Plan at budget time; however, that does not mean the Township will do an ordinance or spend the money.

Mr. Tanner reported Cranbury Brickyard Road is in poor condition. He stated the roadway connects Route 130 through to Monroe, and currently the Turnpike Authority is working on the road erecting a bridge over the Turnpike. Mr. Tanner stated Brickyard Road would be a good option to apply for because a section of the road is already being repaired. Mr. Tanner stated there is upcoming development on Cranbury Brickyard

TOWNSHIP COMMITTEE MEETING
October 8, 2012

Work Session

a). Discussion of NJDOT Grant Application Options (Continued)

Road, and work on that road should be done as there will be a lot of truck traffic during that development. He recommended Cranbury Brickyard Road be the choice for the grant application.

Resolution

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

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

Cranbury Township # R 10-12-129

A RESOLUTION AUTHORIZING THE APPROVAL TO SUBMIT
A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT
WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION
FOR THE SUBMISSION OF GRANTS FOR LOCAL AID 2013

NOW, THEREFORE, BE IT RESOLVED that the Committee of the Township of Cranbury formally approved the grant application for the above stated project; and

WHEREAS, the Mayor and Township Committee of the Township of Cranbury desire to file two (2) grants for Fiscal Year 2013 under the "New Jersey Department of Transportation State Aid Program"; and

WHEREAS, the Mayor and Township Committee have reviewed potential submissions and made a decision to authorize the Township Engineer to file for the following projects;

1. Main Street – MA2013 - 00110
2. Cranbury Brick Yard Road – MA2013 - 00541

and;

WHEREAS, the Mayor and Township Committee wish to prioritize said projects as follows:

1. Main Street – MA2013 - 00110
2. Cranbury Brick Yard Road – MA2013 - 00541

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to submit an electronic grant application identified as MA2013-Cranbury Township -00110 and MA 2013-Cranbury Township - 00541 to the New Jersey Department of Transportation on behalf of the Township of Cranbury;

BE IT FURTHER RESOLVED, that the Township Engineer is hereby authorized to submit said grant application on behalf of Cranbury Township and;

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Cranbury and that their signature

TOWNSHIP COMMITTEE MEETING
October 8, 2012

Cranbury Township # R 10-12-129
(Continued)

constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Public Comment

The Mayor opened the meeting to public questions and comments:

Mr. Peter Connolly, Petty Road, spoke about how embarrassing the condition of Petty Road is for the residents and stated it is not fair for the Township to dismiss the problem. He reported he often has visitors to his home who ask him "what's with the road?" He stated no other road in the Township is in such poor shape. He requested the Township Committee reconsider their decision and fix the road. He stated it is only a matter of time before something tragic happens on the road.

Mr. Bob Dillon, Hightstown/Cranbury Station Road, stated Brickyard Road is only in bad shape from Mid-State Filigree northbound for approximately 300 feet. Mr. Dillon recommended only this section should be repaired. He stated the Turnpike is continually running trucks and heavy construction equipment on the road. Mr. Dillon stated Brickyard Road from his property to Chamberlin & Barclay should be done.

Mr. Dillon asked Mr. Tanner, Township Engineer, if drainage work can be done on Petty Road without removal of the roadway. Mr. Tanner responded the roadway would need to be removed since the drainage is right at the edge of the pavement; however, a study would have to be performed first and that has not been done yet.

Mr. David Martin, Petty Road, stated he does not want Petty Road widened. He stated speeders will use the road and making the road wider is only asking for trouble. Mr. Martin stated money should not be used to widen Petty Road.

Ms. Laura Jackson, Petty Road, stated the center of Petty Road is not lined up correctly. She recommended re-aligning the center of the road. She stated the dry wells which were installed in 1995 are now sinking lower than the road.

Ms. Connie Bauder, Petty Road, reported the cracks started right away in 1995 when the roadwork was done. She stated the road was not good since the beginning. She stated the easements on the former Oschner property were never recorded properly.

Mr. Jim Romaine, Petty Road, stated his main concern is safety. He stated the drainage freezes in the winter and children that wait for the school bus to pick them up can slip and fall. He stated the condition of the road needs to be addressed for the safety of his children and his neighbor's children.

Mr. Blase Toto, Petty Road, stated the condition of the road was better before it was repaired. He reported the dry wells immediately sunk and stated a road width of 16 feet is not adequate. Mr. Toto stated widening the road would definitely be beneficial and recommended removing the dry wells completely.

Mr. Peter Connolly, Petty Road, recommended not waiting for something tragic to happen on Petty Road and suggested the Township Committee members drive the road to see the condition of the road for themselves.

Mr. Richard Kallan, Wynnewood Drive, suggested the easements on Petty Road be corrected before any repair work commences.

TOWNSHIP COMMITTEE MEETING
October 8, 2012

Public Comment (Continued)

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

Mayor's Notes

Mayor Cook thanked the Shade Tree Commission for removing bad trees in the Township.

He announced Candidates' Night will be held at 8:00 p.m. on October 10th in the School Cafeteria.

Mr. Tom Ingegneri, South Main Street, asked why a sign was erected at Barn Park indicating it was a "Tow Away Zone". Mr. Taylor responded the Parks Commission decided to have a sign put up. If there is not a parking issue and the sign is not needed, Mr. Ingegneri requested the sign be removed and stated he will not park there again.

On a motion by Ms. Goetz, seconded by Mr. Johnson and unanimously carried, the meeting adjourned at 9:00 p.m.

Kathleen R. Cunningham, RMC
Municipal Clerk