

TOWNSHIP COMMITTEE MEETING
September 10, 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, Dan Mulligan, James Taylor, and Mayor David Cook. Also present were 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.

Mayor Cook announced in memory of September 11th, a flag was donated to the Township by a flag company in Monroe. The flag is displayed in the main hall of Town Hall for residents to view. Mayor Cook stated the flag is interesting in that the stripes of the flag are comprised of the names of all those who lost their lives that day in New York City, Washington, D.C. and Pennsylvania.

Mayor Cook reported a Proclamation recognizing September 11th as Patriot Day was received from Governor Christie. Ms. Cunningham read the Proclamation to the public, and Mayor Cook asked for a moment of silence in remembrance before continuing with the agenda.

Mr. Jim Golubieski, representing the Cranbury Trophy Tournament, LLC, presented a check to Mayor David Cook for the Board of Recreation Commissioners. Mr. Golubieski stated the independent foundation organizes events to raise recreation funds. This year the funds will be used to resurface the Village Park basketball and tennis courts and new nets and baskets will be purchased. He stated the goal is to have the courts looking like new by the fall. Mr. Golubieski stated he wanted to thank Ms. Josette Kratz for all of her hard work organizing the Golf Tournament. The Township Committee thanked Mr. Golubieski for the contribution.

Mayor Cook stated Mr. Don Davidson would speak to the Township Committee on a proposed sign for Memorial Park. Mr. Davidson stated he is a member of the Historical Society and is the Chairman of the Education Committee. He stated he conducted the walking tours this year for Cranbury School's 4th and 8th grade students. Mr. Davidson stated many Township residents know very little about the history of the Cranbury.

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Mr. Davidson stated he was involved in a project, which was a joint effort with the Historical Society and the First Presbyterian Church in Cranbury, to create a sign to memorialize the Memorial Park Sign Presentation (Continued)

(Mr. Don Davidson cont'd.)

Second Presbyterian Church. He stated the site of the Second Presbyterian Church was an important area in the Township for over 100 years. Mr. Davidson then gave an overview of his proposed sign for Memorial Park, which will be funded by the Historical Society. He stated the goal is to work on the sign over the winter for installation in the spring. A motion to approve the design concept and finalize a location at a later date was made by Mr. Mulligan, seconded by Mr. Johnson and adopted by vote:

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

Nays: (None

Public Comment

Mayor Cook asked the public if they had any comment on any of the Agenda items this evening. Hearing none, Mayor Cook then continued with the agenda.

Regular Township Committee Minutes of August 13, 2012.

On motion by Mr. Taylor, seconded by Ms. Goetz and unanimously carried, the Regular Township Committee Minutes of August 13, 2012 were adopted.

Closed Session Minutes of February 6, 2012; April 25, 2011; February 7, 2011; December 20, 2010; December 6, 2010; August 23, 2010; May 24, 2010; April 26, 2010; April 12, 2010; February 8, 2010; January 10, 2010; October 5, 2009; July 13, 2009; and May 11, 2009.

On motion by Mr. Mulligan, seconded by Mr. Johnson and unanimously carried, the Closed Session Minutes of February 6, 2012; April 25, 2011; February 7, 2011; December 20, 2010; December 6, 2010; August 23, 2010; May 24, 2010; April 26, 2010; April 12, 2010; February 8, 2010; January 10, 2010; October 5, 2009; July 13, 2009; and May 11, 2009 were released to the public.

Reports and Communications

--Mayor

Mayor Cook addressed there has been considerable construction in the Route 130 area in the last 20 to 30 years; however, Route 130 has not grown to accommodate the resulting increase in traffic. Mayor Cook stated while warehouses generate ratables, they also generate an excess of truck traffic. Mayor Cook stated the traffic issues on Route 130 need to be addressed and stated the Township Committee and the Planning Board have made the issue a higher priority. Mayor Cook stated he attended a Mayors' Conference sponsored by Assemblyman Rush Holt who was looking for a consensus of common problems being faced by the Mayors. Mayor Cook stated the issue of traffic on the Route 1 Corridor and Route 130 was discussed. Mayor Cook stated the purpose of this meeting is to bring attention to the Federal Government of this traffic problem.

Mayor Cook reported Planning Board member, Mr. Allan Kehrt, is also working on the traffic issue at the local level with the Lieutenant Governor. Mayor Cook reported Mr. Kehrt was called back for a second meeting, and Mayor Cook stated the hope is to tie in the Rush Holt

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component together with Lieutenant Governor Guadagno's component to see some resolution to the traffic problem. Mayor Cook reported this will be a long-term project.

Reports and Communications
--Members of Committee

Ms. Goetz reported Cranbury Day was a huge success and stated some of the Farmers' Market vendors were present. Ms. Goetz reported the Cranbury Farmers' Market has been a huge success, and at the vendors' request, the Market will stay open until 6:00 p.m. for the last two weeks. She stated a re-assessment of the Market's location, hours, and possibly adding vendors will be made over the winter.

She reported residents are concerned about the low level of Brainerd Lake and reported Fish and Game came and removed the fish from the lake and transported them to Jamesburg. Ms. Goetz reported mosquitos can become a problem. She reported the Mosquito Commission will come down to do an assessment and will make a recommendation on how to handle the mosquitos.

Ms. Goetz reported there is an ongoing problem of unleashed dogs in the Township and reported she will be meeting with Chief Varga and Mr. Jerry Thorne, Public Works Manager. She reported it is essential the word gets out that Cranbury has leash laws. She reported a coyote was spotted on Evans Drive in the middle of the day. Ms. Goetz stated residents should know this is a coyote and not a dog. Additionally, she reported the Rabies Clinic will be held this Saturday at the Fire House from 12:00 noon until 2:00 p.m.

Ms. Goetz reported she attended a "Downtown Sidewalk Beautification" Meeting this past Friday. She stated a \$220,000 grant was received to beautify the Town. She reported the subcommittee consists of herself, Jay Taylor, a couple of Main Street residents, members of the Historical Society, and the Township Engineer, Bill Tanner. She stated the \$220,000 funding does not cover the whole project from Brainerd Lake to Bunker Hill and reported the Subcommittee does not want to piece-meal the project. She stated the Committee expressed an interest to create a vision, consistent with the Master Plan, of what downtown should look like and stated this could be the first phase of the Project. She stated she was asked to come to the Township Committee to see if they wanted the group to expand their role and come up with a plan for the entire downtown area. Mr. Goetz asked the Township Committee what they would like the Village to look like. The Township Committee agreed it would be beneficial to get a "big picture" of the Project before proceeding with the work. The plans will have to be submitted by April 2013.

Ms. Goetz stated decisions will need to be made concerning brick sidewalks and the kind of lighting to be installed. Mr. Taylor stated Mr. Tanner, Township Engineer, reported it will not take long to put specs together for the Project.

Mr. Mulligan stated he agreed with Mayor Cook concerning development in the area and the resulting traffic issues. Mr. Mulligan stated the private and public sectors need to work together to get things accomplished in the Township. He stated budgets are only getting tighter, and stated good examples are Cranbury Trophy Tournament, LLC stepping up to repave the basketball and tennis courts and repair the hoops and nets, as well as the Historical Society offering to pay for the new sign in the Town.

Mr. Taylor stated Mr. Tanner suggested expanding the "Downtown Sidewalk Beautification" to a village beautification project as it may be easier to secure future grants.

Mr. Johnson reported he attended a Historical Preservation Commission meeting recently and reported extensive work was done on a home on Prospect Street. He also reported he attended a Shade Tree Commission Meeting and discussion took place on the new design of Bridge.

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Reports and Communications
--Members of Committee

Mr. Taylor reported construction permits for the month were \$9,000. He reported Petco and Papa Johns have approached the Construction Department about retrofitting their warehouses, which would result in substantial permit fees.

Mr. Taylor stated he agreed with the previous comments concerning traffic on Route 130 and added he noticed truck "engine braking" on the roadway. He stated it is difficult to get truckers to stop "engine braking" because they are protected like farmers.

Mr. Taylor reported he joined the Fire Company and is now attending the State-required classes, which run about 15 to 20 hours a week. He stated he would need to resign his position as liaison to the Fire Company to avoid a conflict of interest and recommended Mr. Johnson as the new fire liaison. Mr. Taylor stated he spoke to Mr. Johnson, who is willing to assume the responsibility. Mr. Johnson confirmed he will be the liaison for the Fire Company.

Ms. Cunningham stated Cranbury Township has in its Code an Ordinance prohibiting "engine braking". She stated other Townships have used Cranbury's Ordinance as a model for their own ordinances. Ms. Cunningham stated the Police Department may need to enforce the Ordinance. Mayor Cook stated braking has increased because of the volume of traffic.

--Subcommittees
There were no reports from Subcommittees.

Agenda Additions/Changes
Ms. Cunningham, Municipal Clerk, stated there were no additions or changes to the agenda.

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. Mulligan, seconded by Ms. Goetz, 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 09-12-110

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

Cranbury Township Resolution # R 09-12-111

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

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WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

Cranbury Township Resolution # R 09-12-111
(Continued)

WHEREAS, the Annual Report of Audit for the year 2011 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Cranbury, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Cranbury Township Resolution # R 09-12-112

WHEREAS, Cranbury Board of Education had a water leak and they claim the water did not go into the sewer; and

WHEREAS, Cranbury Board of Education received a 3rd quarter sewer bill in the amount of \$11,951.25; and

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WHEREAS, Cranbury Board of Education's 2011 third quarter sewer bill was \$2,451.00;
and

Cranbury Township Resolution # R 09-12-112
(Continued)

WHEREAS, Cranbury Board of Education is requesting a credit to their sewer account for the 2012 third quarter bill;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, that the above Sewer account be issued a credit of \$9,500.25.

Cranbury Township Resolution # R 09-12-113

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>
OWNER: Finigan, Robert J. & Karen 88 North Main St. Cranbury, NJ 08512	\$2,674.96
LOCATION: 88 North Main St.	
BLOCK: 29 LOT: 4 QUALIFIER: N/A	
Total	\$2,674.96

Cranbury Township Resolution # R 09-12-114

A RESOLUTION AUTHORIZING THE RELEASE OF EXTRA DUTY ESCROW

WHEREAS, Rich Tree Service has outstanding credits in their Extra Duty escrow account previously posted with the Township.

WHEREAS, the Police Department has no outstanding bills

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that the Township of Cranbury release outstanding credits in Rich Tree Service's extra duty escrow account.

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

- (a) Township Director of Finance
- (b) Rich Tree Service

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Cranbury Township Resolution # R 09-12-115

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 \$5,000.00 which item is now available as a revenue from County of Middlesex pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$5,000.00 is hereby appropriated under the caption "Quality of Life".

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

Reports from Township Staff and Professionals

--Administrator's Report

Ms. Marabello reported she forwarded to the Township Committee a memo from Mr. Bill Tanner, Township Engineer, outlining the DOT Grant Application for 2013 for road improvements (roadway paving and milling). Mr. Tanner and Mr. Jerry Thorne, Public Works Manager, selected the priority roadways needing work as Brickyard Road, John White Road and Petty Road. Ms. Marabello reported Mr. Tanner can apply for two Grants for two different roads; however, the Township may only receive one grant. She cited last year as an example where Mr. Tanner applied for grant funding for repairs to Brickyard Road and the Beautification Grant, and the Township received only funding for the Beautification Grant. Mr. Marabello stated Mr. Tanner must file the grant application by October 16th so a decision must be made on which roadways will be applied for. Mr. Mulligan asked if Petty Road was on the list last year, and Ms. Marabello stated it was not on the list but is considered a priority this year. Mayor Cook

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suggested it may be beneficial to see how Brickyard Road will be affected by future construction before committing to making repairs on that road now.

Reports from Township Staff and Professionals

--Administrator's Report (continued)

(Mayor Cook cont'd.)

Mayor Cook stated Petty Road, however, has had numerous problems for years. He stated when the area was developed, storm sewers were installed with pipes that go nowhere so water backs up whenever there are storms. He stated there are also apron issues and suggested Petty Road should be a priority. Mayor Cook suggested the problem with the storm sewers may need to be addressed or repairing Petty Road may just be applying a Band-Aid to the problem. Ms. Goetz asked if the grant could cover repairs to the storm sewers as well as paving. Mr. Mulligan asked if the roadway would be widened when it was repaved, although he thought there may be right-of-way issues. Ms. Marabello stated Mr. Tanner would determine the scope of work required for Petty Road. Mr. Taylor suggested additional funding for the Beautification Project be applied for so that project could be complete. Mr. Taylor stated Brickyard Road is in terrible condition, and Mr. Mulligan stated it would be shame to lay asphalt only to have trucks tear the roadway up during construction. Ms. Marabello stated the portion of Brickyard that would be repaired would not be affected by the Turnpike work. Ms. Marabello stated she will ask Mr. Tanner if the Beautification Grant would only apply to sidewalks. Mayor Cook suggested using the funds for Village sidewalks first, followed by Petty Road, John White Road and then Brickyard Road. Mr. Johnson suggested selecting Brickyard Road in a future year. Ms. Marabello stated according to Mr. Tanner's memo, the grant request for Petty Road repairs would cost \$802,000. Ms. Marabello stated Mr. Tanner will prepare the application. Mr. Taylor suggested Mr. Tanner also prioritize the likelihood of receiving the grant funds for each project. Mr. Tanner is available to attend the September 24th meeting.

Reports from Township Boards and Commissions

There were no reports from Township Boards and Commissions.

Work Session

a). Review by the Township Committee on the "Best Practices Check List"

Ms. Marabello reported the "Best Practices Check List" is the list of approximately 70 questions that must be answered by the Township each year in order to receive 100% of its State Aid. Ms. Marabello reported she answered the questions and stated the Township will be receiving the full State Aid. She stated the Check List must be discussed at a meeting and then must be certified by the Municipal Clerk.

Public Comment

The Mayor opened the meeting to public questions and comment.

Mr. Brian Deverin, Cranbury Neck Road, stated a property owned by Mr. Richard Malouf on Cranbury Neck Road has gone into disrepair. He suggested proceeding with Mr. Mulligan's property maintenance ordinance and asked if any progress has been made with this Ordinance. Mr. Mulligan stated several meetings have been held to discuss this issue, and after a discussion with the Township Attorney, the issue will be brought back to a Township Committee for further discussion. Mr. Deverin stated the appearance of the Malouf property is a problem. Mayor Cook stated the conversations are being held with the owners of the properties concerning maintenance, and it is a "work in progress". Mr. Taylor suggested having the Township Health Inspector look at the long grass on Cranbury Neck Road; however, Mr. Deverin stated he already called her and in her opinion it was not a problem. Mr. Mulligan thanked Mr. Deverin for bringing the issue to the Township Committee's attention.

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Ms. Betty Conover, North Main Street, stated she was in favor of the improvements made in the Township. She stated, however, if brick walkways are installed, they will need to be maintained so grass does not grow between the bricks or the sidewalks will not look good.

Public Comment (continued)

Ms. Conover also raised concern with debris collecting at the corners of the dam. She stated a lot of garbage collects and asked if there can be some re-design of the dam so trash does not collect. Mayor Cook stated there is some type of netting that can be installed so debris could be taken out of the Lake.

Mr. Richard Kallan, Wynnewood Drive suggested having a rounded edge at the end of the Lake to prevent debris from collected. Mr. Kallan also suggested using stamped concrete for the sidewalks, which could be any color, instead of brick walkways. Ms. Goetz stated the grant application specifically says no stamped concrete. Mr. Taylor stated the tree roots on Main Streets could in time ruin the stamped concrete sidewalks and could not be repaired as easily as separate bricks in the future.

Mr. Kallan asked about the Closed Session minutes that were being released. Ms. Cunningham explained Closed Session Minutes cannot be released until issues are resolved. She stated she reviews the Minutes periodically and then sends them to the Township Committee for approval to be released to the public.

Mr. Kallan asked if the Township mows grass on the side of Cranbury Neck Road. Mr. Deverin stated it was always done privately; however, it was never in the poor condition it is now.

There were no further public comments, and the Mayor closed the public portion of the meeting.

Mayor's Notes

Mayor Cook stated he had no additional comments.

Resolution

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

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

Abstain: (None
Absent: (None

Nays: (None

Cranbury Township Resolution # R 09-12-116

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

RESOLUTION TO CLOSE MEETING TO THE PUBLIC

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

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

----- "N.J.S.A. 10:4-12b (5) (Land Acquisition): Discussion of possible land acquisition.

Cranbury Township Resolution # R 09-12-116
(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. Johnson, seconded by Mr. Taylor and unanimously carried, the Township Committee returned to Open Session at 8:48 p.m. by vote:

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

Nays: (None

The Township Committee had some discussion concerning an ownership dispute on water and sewer service on the Hagerty property and who in fact owns the water pipe which is now leaking on the property.

On a motion by Mr. Mulligan, seconded by Mr. Taylor and unanimously carried, the meeting adjourned at 8:55 p.m.

Kathleen R. Cunningham, RMC
Municipal Clerk