

TOWNSHIP COMMITTEE MEETING
September 12, 2011

The regular meeting of the Township Committee of the Township of Cranbury was held at 7:00 p.m. in the Town Hall Meeting Room. Answering present to the roll call were Township Committee members: David Cook, Glenn Johnson, Daniel Mulligan, Jay Taylor, and Mayor Win Cody. Also present were Steven Goodell, Esq., Township Attorney; William Tanner, P.E., Township Engineer; Denise Marabello, Township Administrator/Director of Finance; Kathleen R. Cunningham, Clerk/Assistant Administrator, and Jean Golisano, Deputy Clerk. Mayor Cody led in the salute to the flag, and Ms. Cunningham gave the following Open Public Meetings Act statement:

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

- (1) Posted on December 2, 2010 on the Bulletin Board of the Municipal Office at 23-A North Main Street, Cranbury, New Jersey and remains posted at that location.
- (2) Communicated to the Cranbury Press, Home News Tribune and Trenton Times on December 2, 2010.
- (3) Was filed on December 2, 2010 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 August 22, 2011

On motion by Mr. Taylor, seconded by Mr. Cook and carried (with Mr. Mulligan and Mayor Cody abstaining because of absence), the Regular Township Committee Minutes of August 22, 2011 were adopted.

Special Township Committee Minutes of September 6, 2011

On motion by Mr. Johnson, seconded by Mr. Taylor and carried, (with Mr. Cook and Mayor Cody abstaining because of absence), the Closed Session Minutes of September 6, 2011 were adopted.

Reports and Communications

-- Mayor

Mayor Win Cody reported Cranbury Day, held on September 10th, was a wonderful event with many visitors, events, vendors and games. The Cranbury Arts Council sponsored the musical festival "Cranstock," and the Helene Cody 5K Race was successful. The Family Campout, sponsored by the Recreation Department was held on Saturday evening. Mayor Cody thanked all the volunteers and staff who worked hard to make Cranbury Day special.

Mayor Cody reported a discussion in detail on Hurricane Irene would be held later in the meeting with updates provided by Chief Rickey Varga and Jerry Thorne, Public Works Manager. Mayor Cody acknowledged the hard work by volunteers and staff during the storm.

Mayor Cody reported the Comsleep application for a hotel and day care center on South River Road was approved at the last Planning Board Meeting. He reported more applications are being submitted for DRC and Planning Board Review. Mayor Cody reported the Planning Board will review the Master Plan one more time before presentation to the Township Committee in October. The major changes should be complete this year and will be introduced as revisions to the Township Code.

TOWNSHIP COMMITTEE MEETING
September 12, 2011

-- Members of Committee

Mr. Mulligan reported the Website Subcommittee has been working on the Township website redesign, and stated a mock version will be provided to the Township Committee for review. Mr. Mulligan stated the Subcommittee would like the Township to consider using a social media, such as Twitter, to quickly disseminate information. Mr. Mulligan reported the State and Federal Government use Twitter for emergency response situations, and Township employees could use Twitter as another means of releasing information in addition to the e-mail system.

Mr. Mulligan reported there has been excessive flooding on Old Trenton Road since the roadway has been repaved. Mr. Bill Tanner, Township Engineer, reported he had a meeting with the County on Friday. Mr. Tanner stated the County is writing a letter stating historically there was flooding by Old Cranbury Road; however, the Township has never experienced such flooding since the redesign of the road. Mr. Tanner stated he has to investigate the problem further; however, he was advised the pipe under the roadway cannot be touched because it is in a flood plain. Mr. Tanner reported the County is being responsive; however, the County is claiming it is not their problem. Mr. Tanner stated there may be a solution, and he is waiting for the County's letter addressing the issue.

Mr. Cook reported the Brainerd Lake Dam repair project will be addressed later in the meeting with Mr. Tanner during the update on Hurricane Irene.

Mr. Cook reported a memorial was held last weekend for Mr. George Stave, a resident and local artist who passed away.

Mr. Taylor reported Chief Rickey Varga was called away from the meeting on urgent issue at the Police Station so Mr. Taylor would report on the Hurricane from his notes.

Mr. Taylor reported the monthly Construction Department permits issued as follows: 11 building permits totaling \$1,688; 47 electrical permits totaling \$1,275; 25 plumbing permits totaling \$880; and four (4) fire permits totaling \$229. There were the following inspections for the month of August: 83 building, 44 electrical; 27 plumbing and 12 fire. Certificates of Approvals for August were: 21 residential and seven (7) non-residential.

Mr. Taylor reported Mr. Greg Farrington, Construction Official, requested Cranbury Township join with other townships in waiving permit fees for any construction applications for repairs/work resulting from Hurricane Irene. Mr. Taylor recommended the Township consider waiving the fees to help residents affected by the Hurricane. Mr. Steve Goodell, Esq. recommended a Resolution be added to the agenda to waive construction fees. Ms. Cunningham, Clerk will add the resolution to the Consent Agenda as Resolution # R 09-11-114.

Mr. Taylor reported the monthly statistics for the Police Department as follows: 184 summonses were issued in August and the year-to-date summons total is 1,007. In August there were 38 speeding tickets issued; top summons locations are Route 130, Old Trenton Road and Main Street, while the top speeding summons locations are Old Trenton Road, Plainsboro Road and Main Street. As a result of shift coverage, special details (Hurricane Irene), and training, overtime man hours for August were 315.5 hours (year-to-date 1,586). Also contributing to overtime were coverage for Hurricane Irene and the extended loss of two officers due to surgery for non-work related injuries.

Mr. Taylor stated the Traffic Bureau reported 30 crashes in August and stated the "Over the Limit Under Arrest" grant-driven proactive DWI enforcement campaign was negatively affected by Hurricane Irene. The grant had a three-week enforcement window, and the Hurricane pre-empted enforcement. The Traffic Bureau reported since the grant has expired, it is hoped the grant will be reinstated and the monies distributed back to the municipalities for future enforcement.

TOWNSHIP COMMITTEE MEETING
September 12, 2011

Reports and Communications (Continued)

-- Members of Committee

Mr. Taylor (continued)

Mr. Taylor reported there were six (6) new criminal investigations; three (3) closed criminal investigations; five (5) new administrative investigations and seven (7) closed administration investigations in the Detective Bureau.

Mr. Taylor stated one (1) CERT Team was activated during Hurricane Irene. The CERT Team was instrumental in assisting the Police in closing flooded roadways allowing officers to continue patrolling and responding to urgent calls for service.

Primary incidents in the Police Department included: ten (10) arrests; one (1) Driving While Intoxicated; one (1) burglary; five (5) theft/shoplifting; six (6) warrants; two (2) Controlled Dangerous Substance (drugs); and 64 unfounded burglar alarms. Vehicle mileage for August was 10,717 miles, and year-to-date repair expenditures through July 31 were \$20,068.33.

Mr. Taylor reported there were no vehicle repairs for Public Works in the month of August. However, Mr. Taylor reported the Four Seasons Pump Station needed a new pump costing \$2,195, and the Liberty Way Pump Station needed the installation of a new transducer costing \$2,227.

Mayor Cody stated the Planning and Zoning Boards appointed a new engineer, Mr. David Hoder from Mazer. Mayor Cody reported he met with the new Cranbury School Administrator, Dr. Genco. He reported Dr. Genco will be attending a Township Committee meeting to address the Committee, and stated he felt she is a good addition to the Town.

-- Subcommittees

There were no reports from Subcommittees.

Agenda Additions/Changes

Ms. Kathleen Cunningham, Clerk, announced Resolution # R 09-11-114, A Resolution To Waive Construction Permit Fees for Repairs Caused by Hurricane Irene, is being added to the Consent Agenda this evening. Ms. Cunningham reported a correction in the two Ordinance numbers listed on the agenda. The two numbers were transposed.

Ordinance

Second Reading

Cranbury Township Ordinance # 05-11-13

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 05-11-13, "AN ORDINANCE DESIGNATING RIPARIAN ZONES AND PROVIDING FOR LAND USE REGULATIONS TO PROTECT STREAMS, LAKES AND OTHER SURFACE WATER BODIES OF CRANBURY TOWNSHIP", was presented for Second Reading and Final Adoption. The Ordinance was published in the Cranbury Press, posted on the Township Bulletin Board and copies were available to the public. The Mayor asked for a motion to adopt the Ordinance. A motion was made by Mr. Cook, however, it was not seconded and the Ordinance died due to a lack of motion.

Ordinances

First Reading

Cranbury Township Ordinance # 09-11-17

An Ordinance entitled, Cranbury Township Ordinance # 09-11-17, "AN ORDINANCE DESIGNATING RIPARIAN ZONES OF CRANBURY TOWNSHIP AND SUPPLEMENTING THE CRANBURY TOWNSHIP ORDINANCE WITH A NEW CHAPTER 122," was introduced on first

TOWNSHIP COMMITTEE MEETING
September 12, 2011

Cranbury Township Ordinance # 09-11-17
(Continued)

reading. On motion by Mr. Mulligan, seconded by Mr. Johnson, the Ordinance was passed on first reading by vote:

Ayes: (Cook
(Johnson
(Mulligan
(Taylor
(Cody

Abstain: (None
Absent: (None

Nays: (None

Second Reading: September 26, 2011

**AN ORDINANCE DESIGNATING RIPARIAN ZONES OF
CRANBURY TOWNSHIP AND SUPPLEMENTING THE
CRANBURY TOWNSHIP ORDINANCE WITH NEW CHAPTER 122**

WHEREAS, the New Jersey Department of Environmental Protection ("NJDEP") has adopted regulations to establish the NJDEP evaluation criteria for wastewater management plans, and amendments generally set forth within Chapter 15 (Water Quality Management Planning) of Title 7 of the New Jersey Administrative Code, and specifically Subchapter 5 at N.J.A.C.7:15-5.25 et. seq., and

WHEREAS, the NJDEP regulations establish the environmental analyses or assessments, and standards which are required to be included within an application for approval of a wastewater management plan or update at N.J.A.C.7:15-5.25 (b) through (g); and

WHEREAS, subsection (g) of N.J.A.C. 7:15-5.25 requires that "an assessment of nonpoint source pollution impacts of planned future development shall be conducted and it shall be demonstrated that the environmental standards for storm water, riparian zones, and steep slopes established in this section, as well as measures identified in adopted TMDLs [total maximum daily load] or watershed restoration plans, shall be met." Subsection (g) (2) specifically establishes the riparian zones which are required to be protected by virtue of the aforementioned NJDEP regulations; and

WHEREAS, the NJDEP regulations further require that compliance with the riparian zone standard set forth in the NJDEP regulations shall be demonstrated by the submission to the NJDEP of a copy of the municipal ordinance which prevents new disturbance for projects or activities (except as exempted by the NJDEP regulations); and

WHEREAS, the Township of Cranbury has a wastewater management plan, and therefore is subject to the requirements of the NJDEP regulations which require the protection of riparian areas as required at N.J.A.C. 7:15-5.25, and "riparian zone" is defined at proposed Ordinance Section II ; and

WHEREAS, the Township of Cranbury desires to adopt an Ordinance to demonstrate compliance with the NJDEP riparian zone standards in accordance with N.J.A.C. 7:15-5.25.

NOW THEREFORE BE IT ORDAINED on this 26th day of September, 2011 by the Township Committee of the Township of Cranbury in the County of Middlesex, State of New Jersey, that :

The Code of the Township of Cranbury shall be supplemented to add a new CHAPTER 122 as follows:

TOWNSHIP COMMITTEE MEETING
September 12, 2011

Cranbury Township Ordinance # 09-11-17
(Continued)

Riparian Zone

I. PURPOSE AND AUTHORITY

The purpose of this Ordinance is to designate riparian zones, and to provide for land use Regulations therein in order to protect the streams, lakes, and other surface water bodies of Cranbury Township and to comply with N.J.A.C. 7:15-5.25(g) 3, which requires municipalities to adopt an ordinance that prevents new disturbance for projects or activities in riparian zones as described herein. Compliance with the riparian zone requirements of this Ordinance does not constitute compliance with the riparian zone or buffer requirements imposed under any other Federal, State or local statute, regulation or ordinance. Property owners remain subject to compliance with all other municipal ordinances, inclusive of stream and floodway requirements, including but not limited to Ordinance Section 150-56 (c) 13, and as may be amended.

II. DEFINITIONS

The definitions of the words and/or terms utilized in this Article shall be as defined or described in the Water Quality Management Planning rules, N.J.A.C. 7:15, the Stormwater Management Rules, N.J.A.C. 7:8-5.5(h) and/or Flood Hazard Area Control Act Rules, N.J.A.C. 7:13, as they exist as of the effective date of this Ordinance and as they may be amended over time.

Acid producing soils means soils that contain geologic deposits of iron sulfide minerals (pyrite and marcasite) which, when exposed to oxygen from the air or from surface waters, oxidize to produce sulfuric acid. Acid producing soils, upon excavation, generally have a pH of 4.0 or lower. After exposure to oxygen, these soils generally have a pH of 3.0 or lower. Information regarding the location of acid producing soils in New Jersey can be obtained from local Soil Conservation District offices.

Applicant means a person, corporation, government body or other legal entity applying to the Planning Board, Board of Adjustment, Zoning Officer or the Construction Office proposing to engage in an activity that is regulated by the provisions of the NJDEP, and that would be located in whole or in part within a regulated Riparian Zone.

Category One waters (or" C1" waters) shall have the meaning ascribed to this term by the Surface Water Quality Standards, N.J.A.C. 7:9B, for the purposes of implementing the antidegradation policies set forth in those standards, for protection from measurable changes in water quality characteristic because of their clarity, color, scenic setting and other characteristic of aesthetic value, exceptional ecological significance, exceptional recreational significance, exceptional water supply significance or exceptional fisheries resources.

Disturbance means the placement of impervious surface, the exposure or movement of soil or bedrock, or the clearing, cutting, or removing of vegetation.

Intermittent Stream means a surface water body with definite bed and banks in which there is not a permanent flow of water and shown on the New Jersey Department of Environmental Protection Geographic Information System (GIS) hydrography coverages or as determined by site analysis or in the case of a Special Water Resource Protection Area (SWRPA) pursuant to the Storm water Management rules at N.J.A.C. 7:8-5.5(h), C1 waters as shown on the USGS quadrangle map or in the county soil Surveys.

Lake, pond or reservoir means any surface water body shown on the New Jersey Department of Environmental Protection Geographic Information System (GIS) hydrography coverage or, in the case of a Special Water Resource Protection Area (SWRPA) pursuant to the Storm water management rules at N.J.A.C. 7:8-5.5(h) , C1 waters as shown on the USGS quadrangle map or in the County Soil Surveys and listed in N.J.A.C. 7:9B-1.15 ; that is an impoundment, whether

TOWNSHIP COMMITTEE MEETING
September 12, 2011

Cranbury Township Ordinance # 09-11-17
(Continued)

naturally occurring or created in whole or in part by the building of structures for the retention of surface water. This excludes sedimentation control and storm water retention/detention basins and ponds for treatment of wastewater.

Perennial stream means a surface water body that flows continuously throughout the year in most year and shown on the New Jersey Department of Environmental Protection Geographic Information System (GIS) hydrograph coverages or as determined by site analysis or, in the case of a Special Water Resource Protection Area (SWRPA) pursuant to the Storm water Management rules at N.J.A.C 7:8-5.5(h) , C1 waters as shown on the USGS quadrangle map or in the County Soil Surveys and listed in N.J.A.C. 7:9B-1.15.

Riparian Zone means the land and vegetation within an directly adjacent to all surface water bodies including but not limited to lakes, pond, reservoirs, perennial and intermittent streams, up to and including the point of origin, such as seeps and spring, as shown on the New Jersey Department of Environmental Protection's GIS hydrography coverages or as determined by site analysis or in the case of a Special Water Resource Protection Area (SWRPA) pursuant to the Storm water Management rules at N.J.A.C. 7:8-5.5(h), C-1 waters as shown on the USGS quadrangle map or in the county Soil Surveys and listed in N.J.A.C. 7:9B-1.15.

Special Water Resource Protection Area or SWRPA means a 300 foot area provided on each side of a surface water body designated as a C1 water or tributary to a C1 water that is a perennial stream, intermittent stream, lake , pond, or reservoir, as defined herein and shown on

the USGS quadrangle map or in the County Soil Surveys within the associated HUC 14 drainage, pursuant to the Storm water Management rules at N.J.A.C.7:8-5.5(h) .

Surface water body (ies) means any perennial stream, intermittent stream, lake pond or reservoir, as defined herein. In addition, any regulated water under the flood Hazard Area Control Act rules at N.J.A.C. 7:13-2.2 or State open waters identified in a Letter of Interpretation issued by the New Jersey Department of Environmental Protection, Division of Land Use Regulation ,shall also be considered surface water bodies.

Threatened or endangered species means a species identified pursuant to the endangered and non-game Species Conservation Act, N.J.S.A. 23:2A-1 et. seq. or the Endangered Species Act of 1973, 16 U.S.C. Section 1531, or the Endangered Plant Species List, N.J.A.C. 7:5C-5.1 and any subsequent amendments thereto.

Trout maintenance Waters means a section of water designated as trout maintenance in the New Jersey Department of Environmental Protections Surface Water Quality Standards an N.J.A.C. 7:9B.

Trout production Waters, or "TP" waters means waters designated as TP waters in the New Jersey Department of Environmental Protections Surface Water Quality Standards, N.J.A.C. 7:9B.

III. ESTABLISHMENT AND PROTECTION OF RIPARIAN ZONES

A. Except as provided in Sections IV. and V. below, riparian zones adjacent to all surface water bodies shall be protected from avoidable disturbance and shall be delineated as follows:

1. The riparian zone shall be 300 feet wide along both sides of any Category One water (C1 water), and all upstream tributaries situated within the same HUC 14 watershed.
2. The riparian zone shall be 150 feet wide along both sides of the following waters not designated as C1 waters:

TOWNSHIP COMMITTEE MEETING
September 12, 2011

Cranbury Township Ordinance # 09-11-17
(Continued)

- a. Any trout production water and all upstream waters (including tributaries);
 - b. Any trout maintenance water and all upstream waters (including tributaries) within one linear mile as measured along the length of the regulated water;
 - c. Any segment of a water flowing through an area that contains documented habitat for a threatened or endangered species of plant or animal, which is critically dependent on the surface water body for survival, and all upstream waters (including tributaries) within one linear mile as measured along the length of the regulated water; and
 - d. Any segment of a water flowing through an area that contains acid producing soils.
3. For all other surface water bodies, a riparian zone of 50 feet wide shall be maintained along both sides of the water.
- B. If a discernible bank is not present along a surface water body, the portion of the riparian zone outside the surface water body is measured landward as follows:
1. Along a linear fluvial or tidal water, such as a stream, the riparian zone is measured landward of the feature's centerline;
 2. Along a non-linear fluvial water, such as a lake or pond, the riparian zone is measured landward of the normal water surface limit;
 3. Along a non-linear tidal water, such as a bay or inlet, the riparian zone is measured landward of the mean high water line; and
 4. Along an amorphously-shaped feature such as a wetland complex, through which water flows but which lacks a discernible channel, the riparian zone is measured landward of the feature's centerline.
- C. The applicant or designated representative shall be responsible for the initial determination of the presence of a riparian zone on a site, and for identifying the area of the riparian zone on any plan submitted to the Township of Cranbury in conjunction with an application for a construction permit, zoning permit, subdivision, land development, or other improvement that requires plan submissions or permits. This initial determination shall be subject to review and approval by the Township Engineer or the Township's appointed representative, and, where required by State regulation, the New Jersey Department of Environmental Protection.
- D. All encroachments proposed into Riparian Zones in C1 waters shall comply with the requirements of the Storm water Management rules at N.J.A.C. 7:8-5.5(h) and the Flood Hazard Area Control Act rules, N.J.A.C. 7:13, and shall be subject to review and approval by the New Jersey Department of Environmental Protection, unless exempt.
1. All new major and minor subdivisions and site plans shall be designed to provide sufficient areas outside of the Riparian Zone to accommodate primary structures, any normal accessory uses appurtenant thereto, as well as all planned lawn areas.

IV. EXCEPTIONS

To the extent allowed under the Storm water Management Rules (N.J.A.C. 7:8) and the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13) and subject to review and **approval** by the New Jersey Department of Environmental Protection to the extent required by those rules, the following disturbances for projects or activities in the riparian zone established by this Ordinance are allowed:

- A. Redevelopment within the limits of existing impervious surfaces;
- B. Linear development with no feasible alternative route;
- C. Disturbance that is in accordance with a stream corridor restoration or stream bank stabilization plan or project approved by the New Jersey Department of Environmental Protection;
- D. Disturbance necessary to provide for public pedestrian access or water dependent recreation that meets the requirements of the Freshwater Wetlands Protection Act rules, N.J.A.C. 7:7A, the Flood Hazard Area Control Act rules, N.J.A.C. 7:13, or the Coastal Zone Management rules, N.J.A.C. 7:7E; or
- E. Disturbance with no feasible alternative required for the remediation of hazardous substances performed with New Jersey Department of Environmental Protection or Federal oversight pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11a et seq. or the

TOWNSHIP COMMITTEE MEETING
September 12, 2011

Cranbury Township Ordinance # 09-11-17
(Continued)

Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. §§9601 et seq.

V. SEVERABILITY

Severability:

1. Interpretation: This Ordinance shall be so construed as not to conflict with any provision of New Jersey or Federal law.
2. Notwithstanding that any provision of this Ordinance is held to be invalid or Unconstitutional by a court of competent jurisdiction, all remaining provisions of the Ordinance shall continue to be of full force and effect.
3. The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning and land use regulations.

VI. ENFORCEMENT

A prompt investigation shall be made by the Township Engineer of any person or entity believed to be in violation hereof. If, upon inspection, a condition which is in violation of this Ordinance is discovered, the remedies found in Article IX Sections 150-103 Violations and 150-104 Penalties of the Township Code shall be used by the Township to rectify the violations and bring site into compliance with this ordinance.

VII. EFFECTIVE DATE

This Ordinance shall take effect upon final adoption and publication in accordance with the law.

Resolutions

Consent Agenda

Mayor Cody read the Consent Agenda Resolutions and asked if the Township Committee wanted to address any of the Resolutions separately. Mr. Johnson asked if Resolution # R 09-11-109 is for a new vendor, and Ms. Marabello stated the Township has utilized Children's Home Society for several years for counseling services for the Municipal Alliance. On a motion by Mr. Taylor, seconded by Mr. Johnson, the following Consent Agenda Resolutions were adopted by vote:

Ayes: (Cook
(Johnson
(Mulligan
(Taylor
(Cody

Abstain: (None
Absent: (None

Nays: (None

Cranbury Township Resolution # 09-11-107

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 09-11-108

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants

TOWNSHIP COMMITTEE MEETING
September 12, 2011

Cranbury Township Resolution # R 09-11-108
(Continued)

to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Cranbury desires to further the public interest by obtaining a grant of \$2,091,550.00 from the State to fund the following project: the acquisition of the Reinhardt parcel.

NOW, THEREFORE, the Township Committee resolves that Denise Marabello, Township Administrator, or the successor to the office of Township Administrator is hereby authorized to:

- a. Make application for such a grant.
- b. Provide additional application information and furnish such documents as may be required.
- c. Act as the authorized correspondent of the above-named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above-named project;

NOW, THEREFORE BE IT RESOLVED BY the Township Committee:

1. That the Township Administrator of the above-named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as the Reinhardt Acquisition land;
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$ N/A.
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. That this resolution shall take effect immediately.

Cranbury Township Resolution # R 09-11-109

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

TOWNSHIP COMMITTEE MEETING
September 12, 2011

Cranbury Township Resolution # R 09-11-109
(Continued)

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 September 1, 2011 through December 31, 2011; 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 09-11-110

A RESOLUTION AUTHORIZING THE RELEASE OF
A PERFORMANCE GUARANTEE FOR SIL-CRETE

WHEREAS, by letter dated August 23, 2011 Sil-Crete has requested the release of their performance guarantee previously posted with the Township in accordance with Planning Board approval and

WHEREAS, the Township Engineer has, in a letter dated August 22, 2011 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Bond	\$116,344.08
Cash Deposit	\$ 12,927.12
Less:	\$ 6,645.42 to be posted as Maintenance Bond

WHEREAS, the Township Engineer has stated a maintenance guarantee shall be posted with the Township for a period not to exceed two (2) years after final acceptance of the improvements in an amount not to exceed 15% of the cost of the improvement. The amount of the required maintenance guarantee to be posted with the Township is \$6,645.42, and the maintenance period shall be for a period of two years from September 12, 2011.

TOWNSHIP COMMITTEE MEETING
September 12, 2011

Cranbury Township Resolution # R 09-11-110
(Continued)

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

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

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

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

- (a) Township Engineer
- (b) Township Chief Financial Officer
- (c) Sean Earlen - Sil-Crete, Inc.
- (d) Township Attorney

CRANBURY TOWNSHIP RESOLUTION # R 09-11-111

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 2011 in the sum of \$4,400 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 \$4,400.00 is hereby appropriated under the caption Over the Limit Under Arrest.

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:

TOWNSHIP COMMITTEE MEETING
September 12, 2011

CRANBURY TOWNSHIP RESOLUTION # R 09-11-111
(Continued)

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

Cranbury Township Resolution # R 09-11-112

A RESOLUTION AUTHORIZING THE EXECUTION OF A CLEANING SERVICES AGREEMENT
WITH EASTERN JANITORIAL SERVICES

WHEREAS, the Township of Cranbury requires the services of a company to clean Town Hall and the Police Station; and

WHEREAS, the Township of Cranbury has authorized the acceptance of bids for cleaning services; and

WHEREAS, Eastern Janitorial Services was the lowest responsible, responsive bidder; and

WHEREAS, Eastern Janitorial Services will supply cleaning services for \$1,590 monthly; and

WHEREAS, the Township wishes to enter into an agreement with Eastern Janitorial Services to provide these services for September 19, 2011 through September 18, 2012, with an additional one-year renewal option; and

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds for this contract and for supplies,

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

1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with Eastern Janitorial Services, 23 North Michigan Avenue, Kenilworth, NJ 07033, for cleaning services at the rate of \$1,590 monthly, and
2. A copy of this agreement will be made available for public inspection in the Township Clerk's office during regular business hours.
3. A notice of this Contract shall be advertised within 10 days of the award of said contract.

Cranbury Township Resolution # R 09-11-114

WHEREAS, on Saturday, September 10, 2011 "Hurricane Irene" hit the Northeast coast of the United States, causing significant damage throughout many of the eastern states; and

WHEREAS, many residents of Cranbury Township had substantial damage done to their homes; and

WHEREAS, the costs to Cranbury's residents to repair the Storm damage will be a great burden on them;

TOWNSHIP COMMITTEE MEETING
September 12, 2011

Cranbury Township Resolution # R 09-11-114
(Continued)

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that all Construction permit fees be waived to said residents for repairs related to damage incurred by "Hurricane Irene".

Reports from Township Staff and Professionals

-- Township Administrator

Ms. Marabello reported a note is coming due in September, and stated the Township paid down \$467,000 of that note so the note is now at \$781,000 at a 2% interest rate.

-- Municipal Clerk/Assistant Administrator

Ms. Cunningham reported a communication was received from the Governor's office. She read into record the Governor's Proclamation on the Remembrance of September 11, 2001.

Reports from Township Boards and Commissions

There were no reports from Township Boards and Commissions.

Work Session

a). Discussion by the Township Committee on the Appointment of a Deputy Mayor

Mr. Taylor suggested the Township Committee consider the appointment of a Deputy Mayor for the Township. Mr. Taylor stated from a governing perspective, the position would ensure the continuity of government in the event the Mayor is traveling or absent. The Deputy Mayor could also sign documents if the Mayor is not available. Mr. Steve Goodell, Esq. stated there is a provision in the Township Code for the position, and stated it is advantageous to have the position in the event of an emergency. Mr. Goodell stated the Deputy Mayor has all of the powers and obligations of the Mayor; however the Deputy Mayor only serves in the absence of the Mayor. In the event both the Mayor and Deputy Mayor are not available, the other three (3) members of the Township Committee may meet as a quorum. Mayor Cody stated he has no issue with the appointment, especially since he does travel. Mr. Taylor stated currently the Mayor is the only member of the Township Committee who has the power to sign documents. Mr. Goodell explained in the absence of a Deputy Mayor, the Township Committee could have an Acting Mayor to act on a case-by-case basis. On a motion by Mayor Cody, seconded by Mr. Johnson, and unanimously carried, Mr. Cook was nominated Deputy Mayor by the following vote:

Ayes: (Cook
(Johnson
(Mulligan
(Taylor
(Cody

Abstain: (None
Absent: (None

Nays: (None

Work Session

b). Discussion and Report on Hurricane Irene.

Chief Rickey Varga of the Cranbury Police Department and Jerry Thorne, Public Works Manager, were present at the meeting to discuss with the Township Committee Hurricane Irene clean-up status and future emergency policies and procedures. Mr. Thorne reported the Public Works timeline before, during and after the Hurricane. He stated he and Bruno Bertucci, Assistant Manager of Public Works, began working at 7:00 p.m. before the storm. All other Public Works employees reported for work at 11:00 p.m. and drove as teams in four trucks the entire night clearing trees, blocking off flooded roadways and placing sandbags. Mr. Thorne monitored the lake and Public Works assisted emergency crews.

TOWNSHIP COMMITTEE MEETING
September 12, 2011

Work Session

b). Discussion and Report on Hurricane Irene.

(Mr. Taylor continued)

Mr. Taylor commended the Public Works employees for their hard work and efforts during Hurricane Irene, stating Mr. Thorne, Public Works Manager, and Bruno Bertucci, Assistant Manager, managed the work crews, chipped and cleaned up trees, lowered the dam, pre-filled sandbags, and replaced blades on the chippers. Mr. Taylor read the timeline of the Hurricane and the corresponding participation of the Fire Department, Police Department, CERT Teams, and Public Works. Mr. Taylor reported the Monroe Utilities Authority and Middlesex County Office of Emergency Management and State DOT were contacted.

Mr. Taylor reported Police dispatching services were interrupted when Hightstown's Police Department's building flooded, and dispatching services were routed to East Windsor Police Department. Mr. Taylor and Chief Varga determined in the event of an emergency, it would be more efficient for residents to call the Cranbury Police non-emergency telephone number. Ms. Kathleen Cunningham, Clerk, contacted New Jersey Network and NJ 101.5 to air an alert to Cranbury residents not to use the police non-emergency number instead of 9-1-1. Mr. Taylor reported soon after that the Cranbury Police lines went down and alerts were issued to residents again to use 9-1-1.

Mr. Taylor reported there was an issue with residents going through the flood waters on Main Street. The Cranbury Fire Company and First Aid Squad evacuated ten (10) people, covering four (4) separate residences. Mr. Taylor reported the Police and Fire Departments and Public Works, given all the challenges faced and the unprecedented flood situation did everything possible to manage the flood.

Mr. Taylor reported the decision was made that chipping would start that Tuesday, and chipping violations would be suspended. Because of the number of homes damaged, Cranbury Clean-Up Weekend was moved up earlier to September 17th and 18th to assist residents in disposing of bulk trash. Mr. Taylor explained Monroe Township was experiencing "scavengers" taking trash, and Chief Varga stated Cranbury has not had that problem.

Chief Varga reported FEMA would be in Cranbury this week. He stated FEMA would be knocking on doors on Main Street, and he also directed them to homeowners on Ancil Davison Road and Cranbury Station Road where water rescues had taken place during the Hurricane. Mr. Cook reported FEMA has been very responsive, stating his own situation was addressed within a few days. Chief Varga asked residents needing assistance to e-mail him so he can direct FEMA to contact them. Ms. Kathleen Cunningham, Clerk, announced FEMA information and Chief Varga's contact information are posted on the Township website.

Mayor Cody stated the discussion would continue with the storm damage and bridge repairs. Mr. Bill Tanner, Township Engineer provided an update on the Brainerd Lake Dam and the Dam repair project. He reported he met with the County to see how the Township's damage was being assessed. Mr. Tanner reported one of the County's Engineers was in Cranbury the Monday following the storm and did see the damage and high water levels. Mr. Tanner distributed maps of the lake and surrounding properties to the Township Committee and residents, and explained various flood areas depending on the intensity of storms. Mr. Tanner stated Hurricane Irene is labeled a "100-year storm." He described the three (3) alternatives being considered to make repairs, taking into consideration costs and the types of storms the Dam will handle for each alternative. Mr. Taylor asked if Brainerd Lake could be dredged deeper, and Mr. Tanner stated it would not have made a difference with the amount of rain just received. He stated the Lake was practically drained before the Hurricane, and Jerry Thorne, Public Works Manager, reported it took only three hours for the Lake to fill up. Mr. Mulligan suggested Mr. Tanner

TOWNSHIP COMMITTEE MEETING
September 12, 2011

Work Session

b). Discussion and Report on Hurricane Irene.

(Mr. Taylor continued)

do more Work Session analysis on previous hurricanes to see what the Bridge could handle. Mr. Tanner stated a lot of money could be spent on Bridge repairs for a small amount of protection. He recommended protection for a "25-year storm," stating the Township cannot be protected from another storm like Hurricane Irene.

Mr. Cook reported the current Dam must be brought up to code per State mandate. He stated the costs for repairs are still being finalized. Mr. Tanner stated the County will meet with the Historic Preservation Commission to address issues from a historic perspective and will meet with the Township Committee in two (2) or three (3) months with an update.

The problems with the 911 system were discussed, and Mayor Cody asked Chief Varga if there is a plan for a back-up system. Chief Varga reported Hightstown suffered catastrophic damage and the Police had to abandon their Headquarters. The 911 system was automatically relayed to East Windsor. Chief Varga reported the Cranbury Police Department is looking at options, including how to relay emergency warnings, such as tornados, to residents.

Many trees were damaged during the Hurricane, and the Township Committee discussed the responsibility of the cleanup of the trees. Historically, the Township maintained the trees on Township roads, but not County roads. The Township also maintained the trees on Main Street, which is a County Road. The County has stated it will not maintain or clean up trees on County roads because it does not have the manpower or budget to do so. A large tree fell on Main Street, across the sidewalk, and the Township Committee debated whether it is the responsibility of the Township or resident to remove the tree.

Mr. Steve Goodell, Esq., Township Attorney reported a homeowner is responsible for a tree that falls on their property, if no fault is involved. If there is negligence for failing to maintain the tree, it is the liability of the person allowing the tree to fall. There was much discussion on who should assume responsibility. Mr. Goodell stated the Shade Tree Commission has jurisdiction over the Township trees, and stated by Ordinance, the Shade Tree Commission can also have jurisdiction over the County Shade trees. The County takes the position it will not maintain trees in County right-of-ways. Mr. Goodell stated if the Township sees a problem, it should maintain the trees. Mr. Cook stated in the past the Township had a budget to maintain trees. Mr. Taylor stated the Township needs a consistent policy. Ms. Marabello reported she spoke to the County, and it has no budget or manpower and will not be removing trees. Mr. Taylor stated the Township needed a consistent policy to take care of the trees or not take care of any trees, but that to only do some presents a discriminatory issue. Mr. Cook stated there must be funds in the budget to remove trees and was concerned about the number of trees the Township would be assuming responsibility for. Mr. Jerry Thorne, Public Works Manager, reported Public Works can maintain and remove some trees, but contractors must be hired to do others.

Mr. Cody stated the Township should be responsible only for Township trees. Mr. Mulligan stated the Township budget is getting smaller each year, and the concern is having the funds to maintain and remove trees. Mayor Cody asked if the Township is responsible for trees that fall on Township right-of ways, and Mr. Goodell stated it is the property owner's responsibility if the tree falls without fault. Mr. Taylor stated the Committee has to decide on a policy and it needs to be consistent. The issue of cost was discussed. Mr. Johnson stated the old trees north of Old Trenton Road are more at risk than trees in the rest of the Township.

TOWNSHIP COMMITTEE MEETING
September 12, 2011

Work Session

b). Discussion and Report on Hurricane Irene.

(Mr. Goodell continued)

Mr. Goodell read from the Township Code the responsibilities and powers of the Shade Tree Commission. He recommended the issue should be discussed with the Shade Tree Commission and further stated the Township should look at the County policy and consider if the Township should take on the County's responsibility. He recommended dealing with the pending issue of the fallen tree on Main Street, and then have the Shade Tree Commission look further into the matter of the policy for other trees. Mr. Cook agreed stating the current issue is one tree on Main Street. Mr. Taylor stated again the policy must be consistent, and Mr. Mulligan stated by removing the Main Street tree, the Township will be establishing policy. Mayor Cody asked for a motion to make a proposal that the tree on Main Street be removed. Mr. Cook stated the Township has money in the budget to remove this tree as a safety issue. Mr. Goodell recommended a motion be made authorizing the Administration to spend the money to remove the tree. Mayor Cody stated the Township will look into obtaining state aid or assistance for tree maintenance. On a motion by Mr. Cook, seconded by Mr. Taylor the motion to have the tree removed at 46 North Main Street was passed by the following vote:

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

Mr. Mulligan suggested the possibility in the future of the Police Department warning residents if the Lake is overflowing. He stated some cars were damaged on Main Street, and he recommended some type of warning be given. He stated his recommendation is constructive and could possibly save property. Mr. Mulligan also asked if the Township should consider some type of sensor at the dam which would alert the Township the water is reaching flood stage. He stated the sensor would be proactive and would assist Police and Public Works in alerting residents. Mr. Cook stated there is also an electronic component which could open the gates that Mr. Thorne was going to look into. Mr. Tanner stated Mr. Thorne suggested the electronic component be tied back to a generator in the Fire Company so if power goes out he would still have an ability to operate the gates. Mayor Cody asked if there are alarms the Township could consider, and Mr. Tanner stated he will speak with the consultant. Mr. Mulligan stated multiple means of alert residents, including electronic, would be beneficial.

Mr. Taylor reported he and Mr. Thorne had also discussed have sand bags and sand available for residents so it would not be up to Public Works to do. Residents could go to the Public Works yard and make up their own sand bags.

Mr. Johnson called for a short recess before continuing with Public Comment, and the meeting reconvened after a few minutes.

Public Comment

The Mayor opened the meeting to public questions and comment.

Mr. Frank Marlowe, North Main Street, asked for more information on the bridge repair alternatives, and asked if homes will be protected better once the Brainerd Lake Bridge is repaired. He asked if the second repair alternative would be adequate, and although it would be better than the present dam, it still leaves the possibility of overflow on the road.

TOWNSHIP COMMITTEE MEETING
September 12, 2011

Public Comment (continued)

Mr. Marlowe's home and other buildings on Main Street from Brainerd Lake to School House Lane were damaged from Hurricane Irene flooding as well as from other storms.

Mr. Bill Tanner explained the repair alternatives, the costs involved, and the protection each alternative would provide. Mr. Marlowe asked if depressed sidewalk curb could be changed to divert the flow of water back into the stream instead of flowing on Main Street.

Mr. Tanner stated he could look at the slope of the road and sidewalk and could talk to a consultant. Mr. Marlowe stated anything that could be done to eliminate the danger of catastrophic flooding would be appreciated. He stated he is concerned about what can happen in the next year until the Bridge is repaired. Mr. Tanner stated he will speak with the consultant; however, the map depicts a similar elevation over much of the area. Mr. Marlowe asked if the roadway could not be graded, could the higher sidewalk be used to direct the water flow. He stated he has seen at least six (6) floods and has witnessed the flow of the water. Mr. Marlowe asked the Township Committee to (1) look at the possibility of a 200 foot spillway and enlarged tunnel to handle more water flow; (2) put a depression in the side walk as a means of diverting the flow; and (3) take the spillway out for the year until the Bridge is repaired to protect the houses on Main Street. Mayor Cody suggested Mr. Tanner meet with some residents to view the site.

Mr. Richard Kallan, Wynnewood Drive, reported to the Township Committee, the amounts of rain during the month of August and during Hurricane Irene. Mr. Kallan stated not matter what the Township does, if another Hurricane like Irene hits, there will still be flooding. He asked about the retention basis by the warehouses. Mr. Tanner stated the retention basins built for the warehouses are adequately built. Mr. Kallan asked if there is a way to stop the water from running through the back properties of homes, and Mr. Tanner stated a consultant is looking at ways to alleviate flooding in the backyards.

Mr. Bob Demers, Evans Drive, stated he lived in New England where the Army Corp of Engineers built deep waterways. He asked if the Army Corp could do something with the lake, such as concrete bulkheads to encourage the direction of the flow. Mr. Tanner stated the Army Corp is currently assisting in Bound Brook, New Jersey; however, the New Jersey Department of Environmental Protection will never allow the lake to be drained for any period of time. Mr. Tanner stated New Jersey DEP's mission is to protect the environment and clean waterways, and that mission hampers work in preventing flooding situations.

Dr. Stuart Alexander, North Main Street, experienced flooding in his dental practice. He stated the water comes down Main Street from the West Property, which is the lowest point. Dr. Alexander stated he hoped the engineers could evaluate the spillway and the pitch of the street and sidewalk so the water could be directed back downstream. Mr. Tanner stated again he is willing to meet with residents to discuss this. Dr. Alexander after the flooding there was a tremendous amount of silt remaining on the streets and buildings as a result of the flooding. He stated the flood waters contain unhealthy bacteria, and from a public health viewpoint, he felt the Township should clean the streets soon after the waters recede as children walk to school through the area. Dr. Alexander stated barricades were placed in front of Coles Funeral Home and suggested in the future the barricades be further up the street. He stated children were wading through the water going in between the houses where there was over four (4) feet of water in the backyards. Chief Varga reported that every bridge in the Township was flooded. Mr. Taylor stated he assisted Public Works with barricade tapes; however, residents were lifting the tape and going underneath. A member of the Fire Company used a bullhorn to direct people out of the water. Dr. Alexander commended the Public Works Department for their hard work and for placing sandbags on Main Street.

TOWNSHIP COMMITTEE MEETING
September 12, 2011

Public Comment (continued)

Mr. Dale Smith, Maplewood Avenue, stated he has done a lot of work on dams in his career and encouraged the Township Committee to look at the flip side of the issue. He cautioned the Township Committee to look not only how the dam is going to function and how a 200-foot spillway will look. Mr. Smith stated the scale of that size spillway is totally different from what the Township is used to, and it could look nasty. He suggested the dam should be designed in a different shape to work better. He stated the project should not be done the simplest way and then be unhappy with the results. Mr. Smith suggested there is a way to handle the flow with gates and bigger boards, which could be lowered when necessary. Mr. Tanner stated he will talk with the consultants.

Ms. Linda Bowker, Bunker Hill, stated the tree at 46 North Main Street should not have been left for over two week. Ms. Bowker stated it is a safety issue for residents because it crossed the sidewalk. She stated it is common sense the portion over the right-of-way should have been cleared immediately, and the homeowners should deal with the remaining portion on their property. On a separate issue, Ms. Bowker reported Friday is POW/MIA National Recognition Day and stated to her knowledge there is no flag flying at Memorial Park or in the Township. Ms. Bowker presented a flag to the Township and requested it be raised. She stated there are six (6) days a year when the flag has to be flown; however, she requested it be flown all the time. She offered to replace the flag when it becomes faded or tattered.

Ms. Bowker commented on the budget remarks made during the meeting. She stated she read the July Minutes and was very disturbed to see the Township Committee decided to eliminate the outdoor dining fees for the businesses in the village district. She stated if the Township is already collecting revenue, no matter how small, it should be continued to be collected.

Ms. Bonne Larson, Cranbury Neck Road, asked about the "Slow Down" signs placed on Cranbury Neck Road since May. She asked when the signs would be removed. Chief Varga stated the program involved a partnership with the community and Police Department, and it is the residents' responsibility to maintain the signs. Chief Varga stated the program is over, and residents can remove the signs and return them to the Police Department.

Ms. Joan McGee, Stony Brook Millstone Watershed Association, stated the new Riparian Ordinance introduced this evening is a tremendous improvement over the State model. She applauds the Township for maintaining the 200-foot setback and being more precise with definitions applying to Cranbury Township. She stated there are several "typos" and believes the Administrative Code referenced in the Ordinance is not correct. Ms. McGee stated she addressed the errors with Mr. Goodell, Township Attorney, and he stated the errors will not affect the introduction since they do not affect the scope and definitions of Ordinance. Ms. McGee stated the Planning Board memo from Ms. Valerie Kimson, Esq. recommends placing this Ordinance outside of the Land Use Ordinance. Mr. Goodell clarified Ms. Kimson's memo states "the Board recommends the Ordinance should be relocated within the Code out of the Land Use Section. It is recommended this Ordinance become a separate Chapter of the General Township Ordinances." Ms. McGee stated the Ordinance should be assigned another section number and be in the General Code. Mr. Goodell stated the Ordinance will be in the General Code because it will be easier to find and residents will not have to search the Land Use Section. Ms. Kimson's memo recommends leaving the Ordinance numbering to the Township Committee's discretion. Mr. Goodell stated the location of the Ordinance doesn't change the enforceability.

Ms. Suzanne Palocz, North Main Street, reported a large portion of her sidewalk and driveway were washed away from the flooding caused by Hurricane Irene. She stated the sidewalk is a right-of-way on a County road. Ms. Palocz stated she would like the

TOWNSHIP COMMITTEE MEETING
September 12, 2011

Public Comment (continued)

Township's assistance in obtaining funding from FEMA or the government for repairs. Chief Varga reported FEMA representatives will be in Cranbury for the private sector on Tuesday, and Ms. Cunningham stated contact information is posted on the Township website. Ms. Palocz stated children are walking to school, and the area is dangerous. She stated the sidewalk is not private, but is the responsibility of the Township or County. Ms. Palocz already spoke with FEMA, and was told FEMA covers the inside of a residence, but not the outside. She stated the sidewalk is a public right-of-way and the Township should maintain it. Ms. Cunningham stated she will call Senator Linda Greenstein's Office to seek assistance. There was additional discussion about who is responsible of sidewalk repair. Ms. Palocz stated she also has a tree on North Main Street that needs to be pruned. She stated she has called the Township several times to report there are dead branches which could fall on children walking to school.

There being no further public comments, the Mayor closed the public part of the meeting and asked for a motion to go into Closed Session.

Resolution

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

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

Nays: (None

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

Cranbury Township Resolution # R 09-11-113

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)/Contract Negotiations": Update on upcoming F.O.P. # 68 Contract Negotiations.

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.

Date: September 12, 2011

On motion by Mr. Mulligan, seconded by Mr. Taylor, and unanimously carried, the meeting returned to Open Session.

TOWNSHIP COMMITTEE MEETING
September 12, 2011

Cranbury Township Resolution # R 09-11-113
(Continued)

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

Nays: (None

On motion by Mr. Johnson, seconded by Mr. Mulligan and unanimously carried, the meeting adjourned at 11:00 p.m.

Jean Golisano, Deputy Clerk