

TOWNSHIP COMMITTEE MEETING
May 24, 2010

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 Winthrop Cody, David Cook, James Taylor and Mayor David Stout. Mr. Stannard was absent. Also present were Christine Smeltzer, Administrator and Kathleen R. Cunningham, Clerk. Mayor Stout led in the salute to the flag and Ms. Cunningham gave the following Open Public Meetings Act statement:

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

- (1) Posted on December 3, 2009 on the Bulletin Board of the Municipal Office at 23-A North Main Street, Cranbury, New Jersey and remains posted at that location.
- (2) Communicated to the Cranbury Press, Home News Tribune and Trenton Times on December 3, 2009.
- (3) Was filed on December 3, 2009 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.

Resolution

On motion offered by Mr. Taylor, seconded by Mr. Cody, the following resolution was adopted by vote:

Ayes: (Cody	
(Cook	Abstain: (None
(Taylor	Absent: (Stannard
(Stout	

Nays: (None

Cranbury Township Resolution # R 05-10-081

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

WHEREAS, in 1944 Rose and Carmine Siconolfi married and then moved to Monroe Township; and

WHEREAS, Rose and Carmine moved to their new home in Cranbury Township on Plainsboro Road in 1960 where they raised their two daughters, Mary Ellen and Teena; and

WHEREAS, Rose was employed at the First National Bank of Hightstown for 23 years, retiring in 1986; and

WHEREAS, since Rose retired she has volunteered her time to many of the Township's boards, functions and endeavors; organizing many trips for the "Golden Agers" for the past 16 years and working as a poll worker for many elections; and

WHEREAS, Rose was appointed in 1987 as a member of the Board of Recreation Commissioners, she has represented seniors' interests while serving on the "Rec Board" by serving as a liaison to the Golden Age Neighbors and the Senior Fellowship. She has been

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responsible for planning and chaperoning all of the senior trips sponsored by the "Rec Board";
and

WHEREAS, whenever asked, Rose never hesitated to give of her time, talents and expertise to Cranbury Township;

NOW, THEREFORE BE IT RESOLVED, that Rose is wished good health and happiness in her new home in Monroe Township; and

BE IT FURTHER RESOLVED that a duly authenticated copy of this resolution be presented to Rose with heartfelt gratitude and thanks.

Ms. Beth Veghte, Chairperson of the "Rec Board" stated on behalf of the Board, she would like to thank Rose for all she has done and wished her well.

Regular Township Committee Meeting minutes of May 10, 2010

On motion by Mr. Taylor, seconded by Mr. Cook and unanimously carried (with Mr. Cody abstaining and Mr. Stannard absent) the Regular Township Committee Meeting minutes of May 10, 2010 were adopted.

Ms. Cunningham, Clerk, announced due to the confidential nature, the Closed Session Minutes will not be released to the public until such time as the issue is resolved.

Closed Session Township Committee Meeting minutes of May 10, 2010

On motion by Mr. Cook, seconded by Mr. Taylor and unanimously carried (with Mr. Cody abstaining and Mr. Stannard absent) the Closed Session Township Committee Meeting minutes of May 10, 2010 were adopted.

Reports and Communications

--Mayor

Mayor Stout reminded everyone of the Memorial Day Parade which will be held on Monday, May 31, 2010 at 1:00 p.m.

Mayor Stout reported he had attended a Planning Board meeting last Thursday evening. The meeting was the second in a series of meetings on the application for the former Unexcelled property. The meeting lasted approximately four (4) hours. Mayor Stout stated a lot of testimony had been given by the applicant. The applicant addressed environmental issues concerning remedial action and bringing in truckloads of soil to make the project work. The applicant stated about 25,000 truckloads in six (6) months one way, or 50,000 truck trips would be required, which is one truck about every 45 seconds or 200 per day. Also discussed were the necessary permits needed. The applicant will be back for a Special Planning Board meeting to be held on Thursday, June 3, 2010 at 5:00 p.m. and that meeting also is expected to last a very long time.

Mayor Stout reported the Personnel subcommittee (he and Mr. Taylor) had interviewed Captain Rickey Varga for the position of Chief of Police. Mayor Stout stated the Personnel subcommittee highly recommends the appointment of Captain Varga to Police Chief. A motion was made by Mr. Cody, seconded by Mr. Taylor and unanimously carried:

Ayes: (Cody
(Cook
(Taylor
(Stout

Abstain: (None
Absent: (Stannard

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Nays: (None

--Members of Committee

Mr. Taylor reported he had met with Mr. Thorne in reference to Buildings and Grounds. The Public Works employees have been getting Memorial Park ready for Memorial Day and planted new shrubs. Mr. Taylor reported Animal Control (Jerry Thorne) now has a micro-chip reader at Town Hall. Mr. Taylor also reported "Skeet's Pantry" at the Presbyterian Church has had reduction receiving food donations and proposed a collection box be put at Town Hall so residents can drop off canned goods and/or non-perishable items. Mr. Taylor stated he has already spoken with Acting Chief Rickey Varga and Acting Chief Varga has agreed to have a donation box at the Police Station on Logan Drive as well. The Township Committee members unanimously approved having a drop-off box at Town Hall.

Mr. Taylor also announced the Civil War Association will be holding their annual memorial service for war soldiers on Memorial Day, Monday, May 31, 2010 at the back of Brainerd Cemetery at the Civil War Monument at 11:30 a.m.

Mr. Cook reported recently there had been a review of the Brainerd Dam and it was determined the Dam needs to be inspected every two (2) years and in addition, regularly maintained. If the Dam is not inspected soon, there could be a \$25,000 fine. Mr. Cook reported Mr. Tanner, Township Engineer, is handling the inspection for the Township and the cost will be approximately \$3,000 and will be fully compliant with the State regulations. Mr. Cook reported the Township is "moving along" with discussions with the County pertaining to fixing the bridge and the Dam.

Mr. Cook reported an issue recently came up that had previously been "under Hatch Mott MacDonald's watch" concerning the Dey Road pump station. Mr. Cook explained there is a necessity for an easement to be recognized for a force main that had been installed at the time of construction and was brought to the Township's attention. He stated the issue is being addressed and moving forward.

Mr. Cook reported he and the Township Engineer attended a meeting at the D.E.P. on May 17th concerning Liberty Way Bridge and stated nothing had been decided about moving forward right away as there are environmental issues, and it is a very expensive project.

Mr. Cody reported Lynne Schwartz is the new School Board President and Bill Schraudenbach the Vice President. Mr. Cody stated the School Board wishes to have a good relationship with the Township and will be scheduling a meeting in June. Mr. Cody reported he had spoken with them about the ball field/soccer well and they are in favor of it.

Mr. Cody reported the first game had been played on the new ball field recently and both the Mayor and he had thrown strikes.

Mr. Cody also reported the bleachers and other items are in the process of being ordered for the ball field.

Mr. Cody reported at the upcoming Zoning Board meeting on May, 26, 2010 there will be an application heard from Buy-Rite Liquors for a proposed hotel, liquor store, etc. and also an application will be heard from the Verdi Group with an amended application for a building to be located on South River Road.

Agenda Additions/Changes

Mr. Taylor announced the Work Session, "Item a.", is being postponed until the next Township Committee meeting to be held on Monday, June 14, 2010 at 7:00 p.m.

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Ordinance
First Reading

An Ordinance entitled, "Cranbury Township Ordinance # 05-10-08, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY MAKING REQUIRED CHANGES TO CRANBURY TOWNSHIP'S CODE, § 87-6, ARTICLE V, § 87-15 AND § 87-16 (FLOOD PLAIN ORDINANCE) TO CONFORM TO NEW FEDERAL REGULATIONS ", was introduced for first reading. On motion by Mr. Cody, seconded by Mr. Taylor, the Ordinance was passed on first reading by vote:

Ayes: (Cody	Abstain: (None
(Cook	Absent: (Stannard
(Taylor	
(Stout	

Nays: (None

Public Hearing: June 14, 2010

Cranbury Township Ordinance # 05-10-08

WHEREAS, the Township maintains Cranbury Township Code Chapter 87 regarding Flood Damage Prevention in order to promote the public health, safety and general welfare and minimize public and private losses due to flood conditions in specific areas; and

WHEREAS, due to changes in the National Flood Insurance Program, Chapter 87, outlining the Township's flood damage prevention ordinance provisions were reviewed by the State Department of Environmental Protection and certain recommendations for revisions were made; and

WHEREAS, it is necessary to update Chapter 87 of the Cranbury Township Code so as to adopt revised flood insurance study and flood insurance rate maps and incorporate other changes to the Township's existing code; and

WHEREAS, once revised, Chapter 87 of the Township Code will be fully compliant with current National Flood Insurance Program Floodplain Management Regulations, enabling the Township to continue with participation in the National Flood Insurance Program, which will protect the public health, safety and welfare of its residents;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey, that:

1. Cranbury Township Code, Chapter 87, Flood Damage Prevention, shall be and hereby amended and supplemented as follows:

CHAPTER 87 FLOOD DAMAGE PREVENTION

STATUTORY AUTHORIZATION

The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1, et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the Township of Cranbury, Middlesex County, New Jersey does ordain as follows:

ARTICLE 1 Findings, Purpose and Methods (§ 87-1 - § 87-3)

§ 87-1 Finding of fact.

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- A. The flood hazard areas of the Township of Cranbury are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- B. These flood losses are caused by the cumulative effect of obstruction in areas of special flood hazard which increase flood heights and velocities and, when inadequately anchored, damage uses in other areas. Uses that are inadequately flood proofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

§ 87-2 Statement of purpose.

It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- A. Protect human life and health.
- B. Minimize expenditure of public money for costly flood-control projects.
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public.
- D. Minimize prolonged business interruptions.
- E. Minimize damage to public facilities and utilities, such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard.
- F. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas.
- G. Ensure that potential buyers are notified that property is in an area of special flood hazard.
- H. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

§ 87-3 Methods of reducing flood losses.

In order to accomplish its purposes, this chapter includes methods and provisions for:

- A. Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards or which result in damaging increases in erosion or in flood heights or velocities.
- B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
- C. Controlling the alteration of natural floodplains, stream channels and natural protective barriers, which help accommodate or channel floodwaters
- D. Controlling filling, grading, dredging and other development which may increase flood damage.

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- E. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

ARTICLE II Usage of Terms (§ 87-4)

§ 87-4 Word usage; definitions.

- A. Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application
- B. As used in this chapter, the following terms shall have the meanings indicated:

APPEAL:

A request for a review of the Township Engineer's interpretation of any provision of this chapter or a request for a variance.

AREA OF SHALLOW FLOODING:

A designated AO, AH or VO Zone on a community's Digital Flood Insurance Rate Map (DFIRM) with a one percent annual or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREAS OF SPECIAL FLOOD HAZARD

The land in the floodplain within the community subject to a one percent or greater chance of flooding in any given year.

BASE FLOOD

The flood having a one percent chance of being equaled or exceeded in any given year.

BASEMENT

Any area of the building having its floor subgrade (below ground level) on all sides.

BREAKAWAY WALL

A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

DEVELOPMENT

Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or material; located within the area of special flood hazard.

DIGITAL FLOOD INSURANCE RATE MAP

The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

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ELEVATED BUILDING

A non-basement building built, in the case of a building in an area of special flood hazard, to have the top of the elevated floor elevated above the ground level by means of piling, columns (posts or piers) or shear walls parallel to the flow of the water and adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

FLOOD INSURANCE STUDY (FIS)

The official report provided in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

FLOODPLAIN MANAGEMENT REGULATIONS

Zoning ordinance, subdivision regulations, building codes, health regulations, special purpose ordinance (such as flood plain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOOD OR FLOODING

A general and temporary condition of partial or complete inundation or normally dry land areas from:

- (1) The overflow of inland or title waters; and/or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

FLOODWAY

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

HIGHEST ADJACENT GRADE

The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE

Any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminary determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminary determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a

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district preliminary determined by the Secretary to qualify as a registered historic district;

- (c) Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior;
- or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - 1) By an approved State program as determined by the Secretary of the Interior; or
 - 2) Directly by the Secretary of the Interior in States without approved programs.

LOWEST FLOOR

The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor, provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements.

MANUFACTURED HOME

A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

MANUFACTURED HOME PARK OR MANUFACTURED HOME SUBDIVISION

A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

NEW CONSTRUCTION

Structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.

NEW MANUFACTURED HOME PARK OR SUBDIVISION

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the flood plain management regulations adopted by the municipality.

RECREATIONAL VEHICLE

A vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the longest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

START OF CONSTRUCTION

For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348) includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction,

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rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE

A walled and roofed building, a manufactured home or a gas or liquid storage tank that is principally above ground.

SUBSTANTIAL DAMAGE

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT

Any, reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which exceeds 50% of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of a "historic structure", provided the alteration will not preclude the structure's continued designation as a "historic structure".

VARIANCE

A grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.

ARTICLE III General Provisions (§ 87-5 — § 87-10)

§ 87-5 Applicability.

This chapter shall apply to all areas of special flood hazard within the jurisdiction of the Township of Cranbury Middlesex County, New Jersey .

§ 87-6 Basis for establishing areas of special flood hazard.

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The areas of special flood hazard for the Township of Cranbury, Community No. 340258, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- (a) A scientific and engineering report "Flood Insurance Study, Middlesex County, New Jersey (All Jurisdictions)" dated July 6, 2010.
- (b) Flood Insurance Rate Map for Middlesex County, New Jersey (All Jurisdictions) as shown on Index and panel numbers 34023C0229F, 34023C0233F, 34023C0234F, 34023C0237F, 34023C0241F, 34023C0242F, 34023C0244F, 34023C0253F, 34023C0261F, 34023C0263F; whose effective date is July 6, 2010.

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study and maps are on file at 23-A North Main Street, Cranbury, New Jersey 08512-3287.

§ 87-7 Violations and penalties.

No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this chapter and other applicable regulations. Violation of the provisions of this chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall, upon conviction hereof, be fined not more than \$500 or imprisoned for not more than 90 days, or both, for each violation and, in addition, shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Township of Cranbury from taking such other lawful action as is necessary to prevent or remedy any violation.

§ 87-8 Abrogation and greater restrictions.

This chapter is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this chapter and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

§ 87-9 Interpretation.

In the interpretation and application of this chapter, all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and
- C. Deemed neither to limit nor repeal any other powers granted under state statutes.

§ 87-10 Warning and disclaimer of liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the area of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the Township of Cranbury, any officer or employee thereof or the Federal Insurance

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Administration for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

ARTICLE IV Administration (§ 87-11 - § 87-14)

§ 87-11 Establishment of development permit.

A.

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in § 87-6. Application for a development permit shall be made on forms furnished by the Township Engineer and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill, storage of materials and drainage facilities; and the location of the foregoing.

B. Specifically, the following information is required:

- (1) Elevation in relation to mean sea level of the lowest floor (including basement) of all structures.
- (2) Elevation in relation to mean sea level to which any structure has been floodproofed.
- (3) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in § 87-16B; and
- (4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

§ 87-12 Designation of Township Engineer.

The Township Engineer is hereby appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.

§ 87-13 Powers and duties of Township Engineer.

A. Duties of the Township Engineer shall include, but not be limited to:

- (1) Reviewing all development permits to determine that the permit requirements of this chapter have been satisfied.
- (2) Reviewing all development permits to determine that all necessary permits have been obtained from those federal, state and local governmental agencies from which prior approval is required.
- (3) Reviewing all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of §87-17A are met.

B. Use of other Base Flood and Floodway Data.

When base flood elevation and floodway data has not been provided in accordance with §87-6, Basis for establishing areas of special flood hazard, the Township Engineer shall obtain, review and reasonably utilize any base flood elevation and floodway data

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available from a federal, state or other source, in order to administer §87-16A, Specific standards, Residential construction, and § 87-16B, Specific standards, Nonresidential construction.

- C. Information to be obtained and maintained.
 - (1) The Township Engineer shall obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures and whether or not the structure contains a basement.
 - (2) For all new or substantially improved floodproofed structures, the Township Engineer shall:
 - (a) Verify and record the actual elevation (in relation to mean sea level); and
 - (b) Maintain the floodproofing certifications required in § 87-11B(3).
 - (3) The Township Engineer shall maintain for public inspection all records pertaining to the provisions of this chapter.
- D. Alteration of watercourses.
 - (1) The Township Engineer shall notify adjacent communities and the New Jersey State Department of Environmental Protection, Bureau of Dam Safety and Flood Control and the Land Use Regulation Program, prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Insurance Administration.
 - (2) The Township Engineer shall require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
- E. Interpretation of FIRM boundaries. The Township Engineer shall make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of boundary shall be given a reasonable opportunity to appeal the interpretation as provided in § 87-14.

§ 87-14 Variance Procedure.

- A. Appeal Board.
 - (1) The Planning Board as established by the Township of Cranbury shall hear and decide appeals and requests for variances from the requirements of this chapter
 - (2) The Planning Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the Township Engineer in the enforcement or administration of this chapter.
 - (3) Those aggrieved by the decision of the Planning Board or any taxpayer may appeal such decision to the Appellate Division as provided by law
 - (4) In passing upon such applications, the Planning Board shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter and:

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- (a) The danger that materials may be swept onto other lands to the injury of others.
 - (b) The danger to life and property due to flooding or erosion damage.
 - (c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - (d) The importance of the services provided by the proposed facility to the community.
 - (e) The necessity to the facility of a waterfront location, where applicable.
 - (f) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage.
 - (g) The compatibility of the proposed use with existing and anticipated development.
 - (h) The relationship of the proposed use to the Comprehensive Plan and floodplain management program of that area.
 - (i) The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - (j) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site, and,
 - (k) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities, such as sewer, gas, electrical and water systems and streets and bridges.
- (5) Upon consideration of the factors of Subsection A(4) and purposes of this chapter, the Planning Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.
- (6) The Township Engineer shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.
- B. Conditions for variances.
- (1) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided that the items in Subsection A(4)(a) through (k) have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justification required for issuing the variance increases.
- (2) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

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- (3) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (4) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (5) Variances shall only be issued upon:
 - (a) A showing of good and sufficient cause;
 - (b) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - (c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in Subsection A(4) or conflict with existing local laws or ordinances.
- (6) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

ARTICLE V Provisions for Flood Hazard Reduction (§ 87-15 — § 87-17)
§ 87-15 General standards.

In all areas of special flood hazard, the following standards are required:

- A. Anchoring.
 - (1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
 - (2) All manufactured homes shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
- B. Construction materials and methods.
 - (1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
 - (2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- C. Utilities
 - (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.

TOWNSHIP COMMITTEE MEETING
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Cranbury Township Ordinance # 05-10-08
(Continued)

- (2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into flood waters.
- (3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
- (4) Electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

D. Subdivision proposals.

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage.
- (2) All subdivision proposals shall have public utilities and facilities, such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,
- (4) Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least 50 lots or five acres, (whichever is less).

F. Enclosure openings.

All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

§ 87-16 Specific standards.

In all areas of special flood hazards where base flood elevation data have been provided as set forth in § 87-6, Basis For Establishing The Areas Of Special Flood Hazard, or in § 87-13B, Use of OTHER BASE FLOOD AND FLOODWAY DATA, the following standards are required:

A. Residential construction.

- (1) New construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated to or above base flood elevation;
- (2) Within any AO zone on the municipality's FIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high

TOWNSHIP COMMITTEE MEETING
May 24, 2010

Cranbury Township Ordinance # 05-10-08
(Continued)

- (3) as the depth number specified in feet (at least two feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

B. Nonresidential construction.

In an Area of Special Flood Hazard ,all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement together with attendant utility and sanitary facilities, either:

- (1) Elevated to the level of the base flood elevation; and
- (2) Within any AO zone on the municipality's DFIRM that all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet (at least two feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures;

or

- (1) Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water:
 - (2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
- (3) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in § 87-13C(2).

C. Manufactured Homes

- (1) Manufactured homes shall be anchored in accordance with Section 5.1-1 (2).
- (2) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation.

§ 87-17 Floodways.

Located within areas of special flood hazard established in § 87-6 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions apply:

- A. Prohibited encroachments, including fill, new construction, substantial improvements and other development, unless a technical evaluation demonstrates that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- B. If Subsection A is satisfied, all new construction and substantial improvements shall comply with Article V PROVISIONS FOR FLOOD HAZARD REDUCTION

TOWNSHIP COMMITTEE MEETING
May 24, 2010

Cranbury Township Ordinance # 05-10-08
(Continued)

- C. In all areas of special flood hazard in which base flood elevation data has been provided and no floodway has been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two tenths 0.2 of a foot at any point.

This Ordinance shall take effect upon passage and publication, as required by law.

Ordinances
Second Reading

Cranbury Township Ordinance 05-10-06

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance 05-10-06, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY AMENDING CHAPTER 44, "AFFORDABLE HOUSING" OF THE CODE OF THE TOWNSHIP OF CRANBURY TO ADDRESS THE REQUIREMENTS OF THE COUNCIL ON AFFORDABLE HOUSING'S THIRD ROUND RULES", 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 opened the public hearing on the Ordinance. No one present wished to speak, so the hearing was declared closed. On motion by Mr. Cody, seconded by Mr. Cook, the Ordinance was adopted by a vote:

Ayes: (Cody	Abstain: (None
(Cook	Absent: (Stannard
(Taylor	
(Stout	

Nays: (None

Second Reading

Cranbury Township Ordinance # 05-10-07

A motion to enter an Ordinance entitled, "Cranbury Township Ordinance # 05-10-07, AN ORDINANCE RE-APPROPRIATING \$2,500 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN VARIOUS CAPITAL ORDINANCES IN AND BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY", 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 opened the public hearing on the Ordinance. No one present wished to speak, so the hearing was declared closed. On motion by Mr. Cody, seconded by Mr. Taylor, the Ordinance was adopted by a vote:

Ayes: (Cody	Abstain: (None
(Cook	Absent: (Stannard
(Taylor	
(Stout	

Nays: (None

TOWNSHIP COMMITTEE MEETING
May 24, 2010

Resolution

On motion offered by Mr. Cody, seconded by Mr. Cook, the following resolution was adopted by vote:

Ayes: (Cody	Abstain: (None
(Cook	Absent: (Stannard
(Taylor	
(Stout	

Nays: (None

Cranbury Township Resolution # R 05-10-080

APPROVE AFFIRMATIVE AFFORDABLE HOUSING MARKETING PLAN

WHEREAS, the Township of Cranbury has an adopted third round Housing Element and Fair Share Plan and one of the components of the Affordable Housing Program is an Affirmative Affordable Housing Marketing Plan; and

WHEREAS, the Council on Affordable Housing (COAH) has granted substantive certification of the Township of Cranbury's Housing Element and Fair Share Plan; and

WHEREAS, COAH's resolution granting substantive certification included a condition that the Township approve its Affirmative Affordable Housing Marketing Plan and submit such plan and resolution to COAH within 45-days of the grant of substantive certification; and

WHEREAS, the Township Committee seeks to formally approve the Township's Affirmative Affordable Housing Marketing Plan (Schedule "A" attached).

NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Cranbury, County of Middlesex, State of New Jersey, that the Affirmative Affordable Housing Marketing Plan (Schedule "A" attached) of the Township's Housing Element and Fair Share Plan, is hereby approved and shall be submitted to COAH along with this resolution.

Note: Schedule "A" is attached at the end of minutes.

Resolution

On motion offered by Mr. Cody, seconded by Mr. Cook, the following resolution was adopted by vote:

Ayes: (Cody	Abstain: (None
(Cook	Absent: (Stannard
(Taylor	
(Stout	

Nays: (None

Ms. Mary Beth Lonergan, COAH Consultant with Clarke Caton Hintz stated the following resolution is one of two (2) (the ordinance being adopted this evening is the other one) (2) "housekeeping" items for affordable housing to perfect the Township's Substantive Certification issued by COAH within the past few months. She stated the "Affirmative Marketing Plan" puts in writing how the Cranbury Housing Associates and their associates, Frank Piazza & Associates, market the affordable housing in the Township. It also addresses what the Township should have in its affordable housing plan as well as what is forecasted in the future. It also sets forth the rules and regulations in summary form for COAH.

TOWNSHIP COMMITTEE MEETING
May 24, 2010

Resolution
Consent Resolutions

On motion offered by Mr. Cody, seconded by Mr. Cook, the following Consent Agenda Resolutions were adopted by vote:

Ayes: (Cody	
(Cook	Abstain: (None
(Taylor	Absent: (Stannard
(Stout	

Nays: (None

Cranbury Township Resolution # R 05-10-073

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 05-10-074

TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY

A RESOLUTION AWARDING PROFESSIONAL SERVICES AGREEMENTS

WHEREAS, the Township wishes to hire the following firm to provide professional services to the Township during the calendar year 2009 as follows:

- a). Hoagland, Longo, Moran, Dunst & Doukas, LLP - For Tax Appeal Legal Services (warehouses)
- b). Harry Haushalter, Esquire – For Tax Appeal Legal Services (hotels, warehouses, office buildings and other Class 4 parcels)

WHEREAS, the costs for the services to be provided by the Professionals are set forth in their respective proposals submitted to the Township, which are incorporated herein as if fully restated; and

WHEREAS, the Township has a need to acquire the foregoing services without a “Fair and Open Process” as defined by P.L. 2004, c. 19, the “Local Unit Pay-to-Play Law”; and

WHEREAS, the Professionals have completed and filed with the Township Campaign Contributions Affidavits as required by N.J.S.A. 19:44A-20.2 *et seq.* certifying that they have not made any prohibited contributions to a candidate's committee or municipal committee representing the elected officials of the Township of Cranbury, along with Certifications Regarding Political Contributions as required by N.J.S.A. 19:44A-20.26; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et. seq.* authorizes the award of these contracts without public bidding on the basis that they are professional services agreements; and

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for these purposes and that the value of each Agreement will exceed \$17,500.00;

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

TOWNSHIP COMMITTEE MEETING
May 24, 2010

Cranbury Township Resolution # R 05-10-074
(Continued)

1. The Township of Cranbury hereby approves the following firms to provide professional services to the Township during the calendar year 2009:
 - a). Hoagland, Longo, Moran, Dunst & Doukas, LLP – For Tax Appeal Legal Services (warehouses)
 - b). Harry Haushalter, Esquire – For Tax Appeal Legal Services (hotels, warehouses, office buildings and other Class 4 parcels)
2. The Mayor and Clerk are hereby authorized and directed to enter into Professional Services Agreements with the aforementioned professionals pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.* These contracts are being awarded without competitive bidding as Professional Services Agreements under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons by law to practice recognized professions and whose practice is regulated by law.
3. A copy of this Resolution, the pay-to-play forms, and the executed Agreement and insurance certificates shall be placed on file in the Office of the Township Clerk.
4. A brief notice of this action shall be published in a newspaper of general circulation in the Township of Cranbury within ten (10) days of its passage.

Cranbury Township Resolution # R 05-10-075

TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY

A RESOLUTION AWARDING PROFESSIONAL SERVICES AGREEMENTS

WHEREAS, the Township wishes to hire the following firms to provide professional services to the Township during the calendar year 2010-11 as follows:

- a). Sockler Realty Services Group, Inc. – Tax Appeal appraisal & consultation services.
- b). Clarke Caton Hintz – COAH Consulting Services

WHEREAS, the costs for the services to be provided by the Professionals are set forth in the respective proposals submitted to the Township, which are incorporated herein as if fully restated; and

WHEREAS, the Township has a need to acquire the foregoing services without a “Fair and Open Process” as defined by P.L. 2004, c. 19, the “Local Unit Pay-to-Play Law”; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.* authorizes the award of these contracts without public bidding on the basis that they are professional services agreements; and

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for these purposes;

TOWNSHIP COMMITTEE MEETING
May 24, 2010

Cranbury Township Resolution # R 05-10-075
(Continued)

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

1. The Township of Cranbury hereby approves the following firms to provide professional services to the Township during the calendar year 2010-11:
 - a). Sockler Realty Services Group, Inc. - Tax Appeal appraisal & consultation services.
 - b). Clarke Caton Hintz – COAH Consulting Services
2. The Mayor and Clerk are hereby authorized and directed to enter into Professional Services Agreement with the aforementioned professionals pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.* This contract is being awarded without competitive bidding as Professional Services Agreement under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons by law to practice recognized professions and whose practice is regulated by law.
3. A copy of this Resolution and the executed Agreements and insurance certificates shall be placed on file in the Office of the Township Clerk.
4. A brief notice of this action shall be published in a newspaper of general circulation in the Township of Cranbury within ten (10) days of its passage.

Cranbury Township Resolution # R 05-10-076

A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT TO CORNER
HOUSE FOR COUNSELING SERVICES

WHEREAS, the Township of Cranbury seeks to retain the services of a counselor to provide counseling services in connection with the Township's Municipal Alliance Programs and more specifically, to conduct weekly counseling chat groups with middle school students at Cranbury School; and

WHEREAS, Corner House has offered to provide said services to the Township through the end of this year in consideration for payment of a fee of \$40.00 per hour and for the not-to-exceed contract amount of \$10,080.00; and

WHEREAS, sufficient funds are available for this purpose; and

WHEREAS, the contract amount does not exceed the Township's bid threshold; and

WHEREAS, the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, allows the Township Committee to award a services agreement not exceeding the bid threshold without competitive bidding;

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 Corner House to provide counseling services in connection with

TOWNSHIP COMMITTEE MEETING
May 24, 2010

Cranbury Township Resolution # R 05-10-076
(Continued)

the Township's Municipal Alliance Programs and more specifically, to conduct weekly counseling chat groups with middle school students at Cranbury School.

2. Corner House shall be paid a fee of \$40.00 per hour. The total contract amount shall not exceed \$10,080.00 and the agreement shall terminate on December 31, 2010.

Cranbury Township Resolution # R 05-10-077

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

WHEREAS, the County of Middlesex has received a grant from the State of New Jersey to be used for alcoholism and drug abuse prevention and education services to Middlesex County residents; and

WHEREAS, the County desires to provide the sum of \$5,166.00 from State funds, to the Township of Cranbury, including \$4,966.00 to be used for related Municipal Alliance related activities, \$1,000 for related equipment and \$600 to be used for Municipal Alliance training activities; and

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

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

WHEREAS, an Agreement is necessary to set forth the terms and conditions under which the County will pay said monies;

NOW, THEREFORE, in consideration of the payment of said monies and the said services to be rendered,

BE IT RESOLVED, by the Township Committee of the Township of Cranbury, that the Mayor and Clerk are hereby authorized and directed to execute on behalf of the Township of Cranbury the Agreement attached hereto as Exhibit A or other substantially similar agreement and that has been approved, and to undertake any and all acts necessary to effectuate the terms hereof.

Cranbury Township Resolution # R 05-10-078

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the township of Cranbury that the following salaries, wages and fees shall be paid to the various Township Officials and employees of the Township of Cranbury effective January 1, 2010 unless otherwise noted:

<u>POSITION</u>		<u>SALARY OR HOURLY RATE</u>
Mayor	\$	6,692.90
Township Committee	\$	5,354.65
Township Administrator/CFO	\$	115,725.83

TOWNSHIP COMMITTEE MEETING
May 24, 2010

Cranbury Township Resolution # R 05-10-078
(Continued)

Township Clerk/Registrar	\$	78,977.09
Tax Assessor	\$	52,399.27
Tax Collector - Hourly		\$30.00 per hour
Chief of Police - Kahler	\$	125,425.90
Chief of Police - Kahler (effective 1/1/09-12/31/09)	\$	121,880.99
Zoning Officer/Director of Fields	\$	9,270.86
Clock Winder*	\$	100.00
Construction Official/Building Inspector	\$	79,077.22
Building Sub-Code/Building/Fire Inspector	\$	75,576.84
Building Inspector	\$	33,067.46
Plumbing Inspector	\$	30,753.91
Electrical Inspector/Asst Fire Inspector	\$	41,106.34
Fire Sub-code Official	\$	6,451.90
Fire Official	\$	23,715.46
Director of Recreation	\$	12,845.28
Summer Recreation Supervisor**		PER MEMO
Summer Programs Employees**		PER MEMO
Summer Program Director		PER MEMO
Assistant Administrator/Director of Finance/Treasurer		\$51.77 per hour
Deputy Treasurer/Payroll Clerk/Tax Clerk/Sewer Supervisor		\$23.50 per hour
Accounts Payable Clerk/Sewer Collector		\$23.30 per hour
Purchasing Agent/Accounts Payable Clerk/Finance Assistant		\$22.00 per hour
Assessing Clerk		\$23.00 per hour
Assistant to the Assessor/Payroll Supervisor		\$26.11 per hour
Technical Assistant/Alternate Deputy Registrar		\$23.50 per hour
Deputy Clerk/Deputy Registrar		\$23.90 per hour
Planning Admin Officer/Info Systems Coordinator		\$28.20 per hour
Public Works Admin Asst/Recycling Coordinator		\$23.52 per hour
Police Administrative Assistant		\$23.08 per hour
School Crossing Guards**		PER MEMO
Certified Public Works Manager/Small Animal Control Officer		\$31.24 per hour
Heavy Equipment Operator/Foreman		\$25.15 per hour
Sewer Superintendent	\$	7,581.60
Public Works Employees		\$21.19 per hour
Public Work Employee		\$21.42 per hour
Public Work Employee		\$21.35 per hour
Public Work Employee		\$21.53 per hour
Part-Time Help *		\$19.22 per hour
Board Secretary*		\$20.91 per hour
Emergency Services Incentive-First Aid Responder		\$1.00 per hour
Emergency Services Incentive-Fire Responder		\$1.00 per hour

TOWNSHIP COMMITTEE MEETING
May 24, 2010

Cranbury Township Resolution # R 05-10-078
(Continued)

* Set by memo of the Administrator

** Set by memo of the Department head with approval of the Administrator

CERTIFICATION

I hereby certify that the above is a true copy of a resolution adopted by the Township Committee of the Township of Cranbury at a regular meeting held on May 24, 2010.

Kathleen R. Cunningham, Clerk

Cranbury Township Resolution # R 05-10-079

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 2010 in the sum of \$9,600.00 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 \$9,600.00 is hereby appropriated under the caption Obey the Signs or Pay the Fines.

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

TOWNSHIP COMMITTEE MEETING
May 24, 2010

MOTION: For Approval of F.O.P. # 68 Police Agreement:

A motion was made by Mr. Cody, seconded by Mr. Cook and unanimously carried, to approve the new Police Agreement. Ms. Smeltzer reported the Contract had been in arbitration and for five (5) years there was no contract. She stated the Contract had started out with a 3% increase and the final decision made by the arbitrator was approximately 2%. Mayor Stout reported the Contract also includes premium sharing.

Ayes: (Cody
(Cook
(Taylor
(Stout

Abstain: (None
Absent: (Stannard

Nays: (None

Reports from Township Staff and Professionals
Administrator's Report

Ms. Smeltzer reported due to the Police Agreement not being settled for so long and having to go to arbitration, the wages paid remained the same for the police thus allowing the Township to earn more interest on its money.

Ms. Smeltzer reported she is in the process of looking into dispatching as Hightstown Borough is looking to have East Windsor handle its dispatching in the future.

Ms. Smeltzer also reported Green Acres is interested in participating in any open space projects the Township may want to purchase and will discuss this further in the Closed Session.

Work Session

b). Discussion by Township Committee encouraging the immediate restoration of all energy tax receipt funding

The Township Committee discussed the issue of encouraging the immediate restoration of all energy tax receipt funding back to municipalities. Mayor Stout led the discussion explaining the history of the energy tax receipt funding. He reported there are a number of various fees and levies that are collected locally; one of them being the energy tax. In the past the municipalities collected those fees and then the State decided to take over the collection of the fees and then distribute the proceeds. Over time the fees that were sent back to the municipalities diminished. The Township Committee discussed whether or not it wants to adopt a resolution expressing the Township's desire for the restoration of funding to the municipalities. The Township Committee unanimously agreed to gather more information from the Finance Director first before making a decision. They specifically requested Ms. Marabello, Finance Director, furnish the Committee with figures for the past ten (10) years for the levels of funding.

Reports from Township Boards and Commissions

Ms. Cunningham, Clerk, reported the Shade Tree Commission, had sent a memo requesting the Township Committee amend the Township's Code, § 150-56 regarding recommended plantings list due to the fact that many of the trees listed in the Ordinance are invasive species or are prone to diseases such as Bacterial Leaf Scorch, which is fatal. In addition, the request mentions there is a requirement for a review and revision of the Ordinance for 2010 pursuant to the Township's Community Forestry Management Plan. The Township Committee members agreed to revise the Ordinance in 2010.

Public Comment

The Mayor opened the meeting to public questions and comment. Mr. Richard Kallan, 10 Wynnewood Drive, stated he wanted to thank whoever had cut the grass at the Cranbury Circle

TOWNSHIP COMMITTEE MEETING
May 24, 2010

Public Comment (Continued)

and making the site triangle better. Mr. Cook reported the reason it had not been cut completely is due to the cutbacks at the State and D.O.T. not having enough manpower. There being no further comments, the Mayor closed the public part of the meeting.

Mayor's Notes

Mayor Stout appointed Rob McMahon to the Board of Recreation Commissioners and Renee Welch to the Municipal Alliance Commission.

Resolution

On motion offered by Mr. Taylor, seconded by Mr. Cody, the following resolution was adopted by vote:

Ayes: (Cody	Abstain: (None
(Cook	Absent: (Stannard
(Taylor	
(Stout	

Nays: (None

Cranbury Township Resolution # R 05-10-082

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:

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 open space acquisition";
- "N.J.S.A.10:4-12b (8) /Personnel; Discussion of filling the Township Administrator's position";

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: May 24, 2010

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

Ayes: (Cody	Abstain: (None
(Cook	Absent: (Stannard
(Taylor	
(Stout	

Nays: (None

TOWNSHIP COMMITTEE MEETING
May 24, 2010

On motion by Mr. Taylor, seconded by Mr. Cook and unanimously carried, the meeting adjourned at 8:19 p.m.

Kathleen R. Cunningham, Clerk