

TOWNSHIP COMMITTEE MEETING
July 22, 2019

The Township Committee Meeting 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: Glenn Johnson, Dan Mulligan and Mayor James Taylor all answered present. Matt Scott was absent for roll call (entered 7:05p.m.). Mike Ferrante was absent. Also present were Denise Marabello, Township Administrator/CFO; and Debra Rubin, Municipal Clerk. Mayor Taylor led in the salute to the flag, and Mr. Johnson 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:

Posted on December 20, 2018 on the Bulletin Board of the Municipal Office at 23-A North Main Street, Cranbury, New Jersey and remains posted at that location.

Communicated to the Cranbury Press, Home News Tribune and Trenton Times on December 20, 2018.

Filed on December 20, 2018 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.

Sent to those individuals who have requested personal notice.

Proclamation – Proclaiming “Chief Jay Hansen Day in Cranbury Township” on August 4th, 2019 – Mayor Taylor read the following proclamation by title;

PROCLAMATION

WHEREAS, John V. Hansen (“Jay”) was hired as a Cranbury Township patrolman in July 1969. He attended the New Jersey State Police Academy for Municipal Officers at Seagirt. Prior to becoming a police officer, he served in the United States Air Force; and

WHEREAS, in the early 1970's Patrolman Hansen was assigned to be Cranbury Township's first detective; and

WHEREAS, Jay rose through the ranks of Sergeant, Lieutenant, Captain, and Chief. He was the longest serving Cranbury Police officer to date. When he retired in May 2008, he had served 38 years and 10 months “on the job,” never taking a sick day. Jay retired at 65, the mandatory retirement age for police officers in New Jersey;

WHEREAS, Jay was an integral member of the community. He was scoutmaster, little league coach, and emergency management coordinator, and a man of honor. He was many things to many people and was never really off duty as a police officer; and

WHEREAS, he, along with Chiefs Kleinkauf and Logan, spent many years planning the current police headquarters, and Jay was the Chief when the new headquarters was finally built in 2005.

Now Therefore, I, James Taylor, Mayor of the Township of Cranbury, do hereby proclaim **Saturday, August 3, 2019 as**

“Chief Jay Hansen Day” in Cranbury Township”

And, thank the Hansen Family for the donation of the park bench in memory of Jay, which will be enjoyed for many years by visitors to Heritage Park.

Dated this 22ND day of July, 2019

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(Matt Scott present 7:05 p.m.)

On a motion by Mr. Johnson, seconded by Mr. Mulligan and unanimously carried, the following Resolutions adopted by vote:

Ayes: (Johnson
(Mulligan
(Scott
(Taylor

Abstain: (None
Absent: (Ferrante
Nays: (None

Agenda Additions/Changes – Ms. Rubin advised that Consent Agenda item 11(b) - Cranbury Township Resolution #R-07-19-106 was being removed and tabled to the next Township Committee meeting scheduled for August 12th.

--Township Committee Regular Meeting Minutes of July 8th, 2019

The Township Committee Regular Meeting Minutes of July 8th, 2019 on a motion by Mr. Johnson, seconded by Mr. Mulligan. On a roll call vote of the members of the Township Committee;

Ayes: (Johnson
(Mulligan
(Scott
(Taylor

Abstain: (None
Absent: (Ferrante
Nays: (None

the Township Committee Regular Meeting Minutes of July 8th, 2019 were adopted.

--Reports and Communications

--Members of Committee

--Mr. Scott –

No reports at this time.

-Mr. Johnson

No reports at this time.

--Mr. Mulligan

No reports at this time.

--Mayor Taylor

Mayor Taylor advised that the Master Plan Subcommittee and Historic Preservation Commission met.

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--Subcommittees – None

--Departments Heads –

- Mayor Taylor read Cranbury Fire Department, Chief Michael Kervan's report. He reported 33 calls since last report with 207 year to date calls; which include 1,125.37 hours of volunteer time. Calls of note were a vehicle fire on the NJ Turnpike, an extrication at a motor vehicle accident on Station Road and a structure fire in Plainsboro. Any other information can be found on the department's Facebook page. He added the reminder that volunteers are needed for both fire and rescue members.
- Lt. Michael Owens, Cranbury Police Department, was present to discuss the department's June report. He reported a total of 896 motor vehicle stops for the month. Mayor Taylor added that residents are happy with the increased presence with regards to traffic safety.

--Follow-up Items

- Mayor Taylor reported that the drywells on Petty Road were cleaned with assistance from East Windsor Township Public Works Department.
- Deer Management Plan – Ms. Marabello reported that the application packets were created and reviewed by the Chief of Police and the Department of Environmental Protection. The hunting season begins in September and ends in February. It will be a selection process based on a lottery with the Police Department responsible for accepting all hunting applications. Applications will be made available on August 1st. Ms. Marabello advised that she had spoken with the members of the Environmental Commission regarding their concerns and made them aware most concerns were previously addressed within the ordinance.

--Boards and Commissions

• **Appointments –**

Mayor Taylor made the following two (2) appointments to the Library Board of Trustees –

- Fred Dennehy appointed to fill unexpired term to expire on December 31, 2019;
- David Carroll appointed to fill unexpired term to expire on December 31, 2021.

• **Vacancies**

Ms. Rubin read the vacancies for the following boards and commissions:

- (3) Municipal Alliance - Full Member, 1st and 2nd Alternate
- (1) Parks Commission – 2nd Alternate
- (1) Historic Preservation Commission – 2nd Alternate

**Ordinances –
First Reading –**

CRANBURY TOWNSHIP ORDINANCE # 07-19-11

AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO SET PROCEDURE AND POLICY FOR APPOINTING A POLICE CHIEF

BE IT ORDAINED by the Township Committee of the Township of Cranbury, Middlesex County, State of New Jersey, that the Township Committee authorizes the Township Administrator to set the process for

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appointing a candidate to the position of Police Chief. This process will be reviewed by the Personnel Subcommittee and will become internal policy. Any future amendments to the policy shall be done by ordinance.

This ordinance shall take effect upon its passage and publication according to law.

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

Ayes: (Johnson
(Mulligan
(Scott
(Taylor

Abstain: (None
Absent: (Ferrante

Nays: (None

Second Reading: August 12, 2019

CRANBURY TOWNSHIP
ORDINANCE# 07-19-12

AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW
JERSEY, AMENDING AND REVISING
CHAPTER 150-32 AND 150-34, THE LAND DEVELOPMENT CODE

WHEREAS, in 2010, the Cranbury Township Planning Board reexamined the Cranbury Township Master Plan, which set forth the goals of the Township for Land Use regulation; and

WHEREAS, recently upon receiving feedback from the community, the Township Planner has drafted changes to Sections 150-32 and 150-34 of the Cranbury Land Development ordinance for 150-32 Accessory Buildings Structures and Uses and Section 150-34 Swimming Pools, Tennis Courts and similar private recreational facilities; and

WHEREAS, these changes were made by the Township Planner, pursuant to feedback from the Township Land Use Boards and the public with regard to the construction of Accessory Building Structures, Swimming Pools, Tennis Courts and similar private recreational facilities; and

WHEREAS, the ordinances amend Land Use Development ordinance to amend, amongst other things:

- To better regulate Accessory buildings such as detached garages, sheds storage buildings and pool houses;
- To delineate the placement of Accessory buildings upon properties;
- To better define the placement and design of swimming pools;
- To govern the design and placement of tennis courts, sports courts and similar private recreational facilities.

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

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SECTION 1. The Cranbury Township Land Use Development Ordinance is amended and supplemented as follows:

ARTICLE II

§ 150-32 Accessory buildings, structures and uses.

A. General requirements.

(1) Accessory buildings, structures and uses shall be permitted only on the same lot as the principal building to which they are accessory.

(2) Accessory buildings, structures and uses shall not be such as to alter the character of the premises on which they are located and, except for access ways to accessory parking or loading areas from an adjoining street, shall not encroach upon any front, side or rear yard unless otherwise permitted in this chapter.

(3) An accessory building which is attached to a principal building shall be considered part of the principal building and the entire structure shall adhere to the yard and setback requirements for the principal building regardless of the manner or technique of connecting the principal and accessory building.

~~(3)~~ (4) In all residential zones in Cranbury, accessory buildings such as but not limited to detached garages, carports, sheds, storage buildings, barns, private greenhouses, gazebos, boathouses, pool houses and cabanas shall adhere to the following requirements:

(a) Such accessory buildings may be erected in the side and rear yard only, subject to the following setbacks: they shall be located no closer to the side or rear property line than four (4) feet in the V-C and V/HR zones, and ten (10) feet in all other zones, provided that in all zones, such an accessory building shall be placed no closer than ten (10) feet to a rear property line that serves as a neighbor's side yard, and provided that such an accessory building is located no closer to a street property line than thirty (30) feet.

(b) Such an accessory building shall not exceed a height of one and a half (1 ½) stories nor fifteen (15) feet, whichever is less.

(c) No more than thirty five percent (35%) of a rear yard shall be covered by accessory buildings and structures.

(d) Such accessory buildings shall be included in the calculation of building coverage, impervious surface coverage and floor area ratio as applicable.

~~(3)~~(5) All **other** accessory buildings, structures or uses shall be governed by the bulk and area regulations for principal buildings of the zone in which they are located., except as set forth in § 150-32

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~~B., 150-34 C., 150-34, 150-34.1, and 150-35. that storage sheds associated with one- and two-family dwelling units on the same lot as the principal structure shall be located at least 10 feet from the side and rear lot lines and shall comply with the front yard requirement for a principal structure and shall not exceed a maximum floor area of 200 square feet. Storage sheds on corner lots shall not be located nearer to any street line than the minimum required front yard in the zone in which the lot is located.~~

§ 150-34 **Swimming pools, tennis courts and similar private recreational facilities.**

~~Except for~~ The following regulations shall apply to permanent **in-ground** and portable swimming pools, tennis courts and similar recreational facilities that are accessory to a residential use:

A. Said use shall be located on the same lot as the principal structure and only in the side or rear yard.

B. Portable swimming pools less than three (3) feet in height and less than ten (10) feet in length or diameter **shall adhere to the same setback requirements as accessory buildings as set forth in § 150-32 A4.**

C. All in-ground swimming pools and above-ground or portable swimming pools which are taller than three (3) feet and more than ten (10) feet in diameter or length shall be located no closer than ten (10) feet to a side yard, nor fifteen (15) feet to a rear yard in the VC and V/HR zones, and no closer than fifteen (15) feet to a side yard and twenty (20) feet to a rear yard in all other residential zones.

~~C.D.~~ Said use **All other tennis courts, sports courts, and similar private recreational facilities** shall comply with the minimum side **and rear** yard requirements for principal structures.

~~D.E.~~ Said use shall be screened to minimize any adverse impact on adjoining properties.

~~E.F.~~ No loudspeakers or amplifying devices which can be heard beyond the lot lines of the lot on which said facility is located shall be used in connection with such recreation facilities.

~~F.G.~~ Swimming pools shall be enclosed by a permanent fence as regulated in the State Uniform Construction Code. (See Chapter **72**, Construction Codes, Uniform.) The purpose of such fence shall be to enclose the swimming pool. Such fence shall not exceed a maximum height of five feet. If more than 50% solid, then such fence shall be located no farther than 20 feet from the edge of the pool.

~~G.H.~~ All hot tubs and whirlpools in excess of three feet in depth shall be enclosed by a four-foot-high fence or pool cover or other protective device approved by the Construction Official.

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H.I. Chain link fences are permitted around a tennis court, provided that such fences do not exceed 12 feet in height, and the dimensions of the fenced area are no more than are 60 feet by 120 feet. A minimum distance equal to the height of the fence shall be maintained to all property lines.

I.J. Tennis court drainage shall be reviewed and approved by the Township Engineer prior to construction.

J.K. No lighted tennis courts shall be permitted.

Section 2. Repealer. All ordinances or parts thereof inconsistent herewith are repealed as to such inconsistencies.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Effective date. This ordinance shall take effect upon its passage, publication, filing with the County of Middlesex, and entry of final judgement of compliance and repose.

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

Ayes: (Johnson
(Mulligan
(Scott
(Taylor

Abstain: (None
Absent: (Ferrante

Nays: (None

Second Reading: August 12, 2019

Second Reading – None

Resolutions

Consent Agenda

Mayor Taylor asked the Township Committee if there were any questions or comments on the Consent Agenda. Hearing no questions or comments, Mayor Taylor requested a motion to adopt the Consent Resolutions minus item b as previously stated. On a motion by Mr. Johnson, seconded by Mr. Mulligan and unanimously carried, the following Resolutions adopted by vote:

Ayes:
(Johnson
(Mulligan
(Scott
(Taylor

Abstain: (None
Absent: (Ferrante

Nays: (None

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Cranbury Township Resolution #R 05-19-105

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 07-19-107

A Resolution for Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Ancil Davison Section 2 Project

NOW, THEREFORE BE IT RESOLVED that the Township Committee of Cranbury formally approves the grant application with the New Jersey Department of Transportation for the Ancil Davison Section Project; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2020-Ancil Davison Section 2-00038 to the New Jersey Department of Transportation on behalf of Cranbury Township.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Cranbury Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Cranbury Township Resolution # R 07-19-108

A RESOLUTION AUTHORIZING THE RELEASE OF EXTRA DUTY ESCROW

WHEREAS, Ingerman has outstanding credits of \$960.00 in their Extra Duty escrow account previously posted with the Township.

WHEREAS, the Police Department has no outstanding bills

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

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

- (a) Township Director of Finance
- (b) Ingerman Construction

CRANBURY TOWNSHP RESOLUTION # R 07-19-109

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR CRANBURY STATION PARK BLOCK 10 LOT 1

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WHEREAS, by letter dated June 13, 2019 Cranbury Station Park 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 July 12, 2019 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

| | |
|--------------|-----------------|
| Bond | \$ 3,139,432.21 |
| Cash Deposit | \$ 1,592,379.10 |

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 \$212,586.44, and the maintenance period shall be for a period of two years to July 22, 2021.

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".

2. It hereby authorizes the release of performance guarantees set forth in the Township Engineer's letter referenced above.
3. 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) Cranbury Station Park

Cranbury Township Resolution #R 07-19-110

**A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A BID WITH
YOUR WAY CONSTRUCTION, INC FOR PLAINSBORO ROAD DRAINAGE IMPROVEMENT**

WHEREAS, three (3) bids were received on July 16, 2019 for Plainsboro Road Drainage Improvements and;

WHEREAS, the Township wishes to enter into an agreement with Your Way Construction, Inc. Irvington, NJ and

WHEREAS, Your Way Construction, Inc. has offered to provide these services to the Township for cost of \$146,467.25; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A; 11-4.1 et seq., authorizes the award for purposes for which a competitive bid may be used by local units; and

WHEREAS, the Chief Financial Officer has certified that there will be sufficient funds for this contract;

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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 Your Way Construction, Inc. for Plainsboro Road Drainage Improvements for \$146,467.25; and
2. A copy of the Agreement shall be available for public inspection in the Township Clerk's Office during regular business hours.

CRANBURY TOWNSHIP
RESOLUTION # R 07-19-111

**A Resolution for Approval to Submit a Grant Application and Execute
a Grant Contract with the New Jersey Department of Transportation
for the Brickyard Road Improvements Project**

NOW, THEREFORE BE IT RESOLVED that the Township Committee of Cranbury formally approves the grant application with the New Jersey Department of Transportation for the Brickyard Road Improvements Project; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LFIF-2019-Brickyard Road Improvements-00048 to the New Jersey Department of Transportation on behalf of Cranbury Township.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Cranbury Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Public Comment -

Mayor Taylor opened the meeting to general public comment.

- Bill Bauder – Mr. Bauder thanked the township committee members for following through and completing the work for the drywells on Petty Road. However, he stated he does not believe they are working properly. He is requesting a remedy to the situation. Mr. Bauder stated he has met with the Township Engineer, Thomas Decker, on site as well. Mayor Taylor requested that Ms. Marabello follow up with Mr. Decker and then respond to Mr. Bauder's concerns.
- Eman El-Badawi – Ms. El-Badawi questioned the township's involvement in the Central Jersey Transportation Forum. She asked why Cranbury Township was not an active participant within the committee. Ms. El-Badawi presented Mr. Scott with a recent agenda from CJTF for his follow-up.
- Josh Kohut and Barbara Rogers – Representing the Environmental Commission to discuss the Deer Management Plan – Mr. Kohut asked if the signage details have been determined. Ms. Rogers expressed the desire for clear signage to alert anyone utilizing the properties of the active hunting taking place. They discussed various sign options; covering having signage with permanent dates and also temporary signage to be utilized during active hunting.
- Tim Brennan – Mr. Brennan suggested signage that can be flipped over by hunters to alert others of active hunting. Ms. Marabello advised that the public will be notified via the website, mailings to residents within 200' of the active hunting area and possible other alternative methods as well.

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Mayor Taylor advised the public that Linda Scott, Department of Public Works, has ordered lunch totes for school aged children. There will also be a form placed on the township website for residents to request recycling "Clean Communities" tote bags. These will be distributed on a first come first serve basis.

Mayor Taylor closed the meeting to public comment.

Mayor Taylor requested a motion to adjourn. On motion by Mr. Mulligan, seconded by Mr. Johnson and unanimously carried, the meeting adjourned at 7:28 p.m.

Debra A. Rubin, RMC
Municipal Clerk