

TOWNSHIP COMMITTEE MEETING
September 9, 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: Michael Ferrante, Glenn Johnson, Dan Mulligan, Matt Scott and Mayor James Taylor all answered present. No members were absent. Also present were Denise Marabello, Township Administrator/CFO; Steve Goodell, Township Attorney; Thomas Decker, Township Engineer and Debra Rubin, Municipal Clerk. Mayor Taylor led in the salute to the flag 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.

Agenda Additions/Changes – Mayor Taylor added an additional public comment after the reading of the proclamation for comments concerning same.

Proclamation – Recognition of Beth Ann Kafasis for 25 Years of Dedicated Service: Mayor Taylor read the following Proclamation into record in its entirety.

PROCLAMATION

WHEREAS, Beth Anne Kafasis started working at the Cranbury Public Library on August 18, 1994 as a Library Assistant; and

WHEREAS, when Beth Anne began her career at the Library, there were no computers for either library staff or members to use. The card catalog was the only way to search for books. All library check-outs were hand written and filed on index cards. Beth Anne not only knew the names of library users – she often knew their library card number as well.

WHEREAS, while the library was remodeled and expanded in 1996 and 1997, Beth Anne worked in cramped temporary quarters in what is now the Gourgaud Gallery in Town Hall. During this time, she oversaw the transformation of the card catalog to an online system, as well as the use of computers to check out books and other items. In February of 1998 the remodeling was complete and the library reopened with a fully-automated library system.

WHEREAS, Beth Anne has seen the rise of the internet and the addition of computers for library patrons to use. She mastered the use of computers as the main source of reference resources employed by librarians. Beth Anne has seen the addition of laptops, Wi-Fi, Kindles, and Tablets and has moved from audio books on tape, to CDs, to digital Playaways. At each stage of these transformations, Beth Anne has learned new skills and stayed abreast of the vast changes in libraries.

WHEREAS, Beth Ann is currently the Library's Operations Administrator. She manages the library schedule, supervises the other Member Services Specialists, trains new employees, manages interlibrary loans and provides assistance to library users. She understands customer service and provides the very best to our library members.

WHEREAS, Beth Ann is the face of the Cranbury Public Library – greeting newcomers and regulars equally with a friendly smile and a "hello". She has worked under five different Library Directors and has seen many permutations of the library facility.

WHEREAS, in 2006 Beth Anne was given the Libraries of Middlesex Library Employee of the Year Award. As former Director Howard Zogott wrote in her recommendation for the award, "Beth Anne makes

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everyone who comes into the Cranbury Public Library feel important—from colleagues to library users of all ages.” That was true thirteen years ago and is still true today.

NOW, THEREFORE, I, James Taylor, Mayor of the Township of Cranbury, do hereby thank Beth Ann for her 25 years of dedicated service to the Cranbury Public Library.

Mr. Scott added his heartfelt thanks for Ms. Kafasis’ years of service. Mr. Ferrante shared a personal recollection and further expressed his gratitude for her great customer service and always going above and beyond to assist all. Mr. Mulligan thanked her for her many years of service. Mr. Johnson shared his thanks, as well as, noted her impressive skill set in adapting to the ever-changing technology over her many years. Mayor Taylor stated Ms. Kafasis is greatly appreciated in the community. Mayor Taylor presented her with the framed Proclamation.

Ms. Kafasis thanked the audience and the Township Committee members. She stated she was very honored for the recognition and added happily that she was not retiring! She again thanked everyone and was very surprised by the honor.

Mayor Taylor opened the meeting to public comment regarding the Proclamation:

- Marilyn Mullen thanked Ms. Kafasis for representing the Library by being a smiling face for all that enter and how much everyone appreciates her. She added the many people in appreciation include the homebound, the entire library staff and the entire community. Ms. Mullen thanked her for her many years of dedicated service.

On a motion by Mr. Ferrante and seconded by Mr. Johnson, the Proclamation passed unanimously.

--Township Committee Regular Meeting Minutes of August 12th, 2019

The Township Committee Regular Meeting Minutes of August 12th, 2019 on a motion by Mr. Mulligan, seconded by Mr. Johnson. On a roll call vote of the members of the Township Committee;

Ayes:	(Ferrante (Johnson (Mulligan (Scott
	Abstain: (Taylor Absent: (None
	Nays: (None

the Township Committee Regular Meeting Minutes of August 12th, 2019 were adopted.

--Township Committee Closed Session Meeting Minutes of August 12th, 2019

The Township Committee Closed Meeting Minutes of August 12th, 2019 on a motion by Mr. Ferrante, seconded by Mr. Johnson. Mr. Scott asked for an amendment to his attendance being changed from “absent” to “present”. On a roll call vote of the members of the Township Committee;

Ayes:	(Ferrante (Johnson (Mulligan (Scott
	Abstain: (Taylor Absent: (None
	Nays: (None

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the Township Committee Closed Session Meeting Minutes of August 12th, 2019 were adopted as amended.

--Reports and Communications

--Members of Committee

--Mayor Taylor

Mayor Taylor read a statement that has been attached as an appendix to the minutes for permanent record.

--Mr. Scott

Mr. Scott attended Cranbury Day and discussed various complaints brought to him by residents. He asked for clarification on the schedule for meeting with Toll Bros. regarding Petty Road. Mr. Scott reported that there would be a slight delay in the installation of the pedestrian crosswalks.

--Mr. Ferrante

Mr. Ferrante attended Cranbury Day and added that it was a great success! All the members of the Township Committee table participated in covering the table. The theme was mostly focused on communication and a big push was for residents to register for "e-news". Many residents were not aware of the email blast service. He added the township is currently in the process of redesigning the website with modern capabilities, including mobile technology.

-- Mr. Mulligan -

Mr. Mulligan attended Cranbury Day where residents questioned particular topics, such as, cable coverage within the township. He suggested having the Toll Bros. presentation regarding Petty Road scheduled during a Township Committee meeting. Mr. Mulligan wanted to remind all residents that the township has an official Facebook page where they can receive valuable information in conjunction with the email blast notifications.

. --Subcommittees – None

--Departments Heads – None

--Follow-up Items

- Petty Road Drywells - Mr. Decker explained that East Windsor provided clean out. He added that the drainage requirements at the time of the construction of the drywells are not the same as the current requirements. Though the current standards are different, there is no requirement to retrofit old storm sewers to the current standards either. Mr. Decker explained a potential way to make the areas more permeable and discussed possible costs associated with it. Mr. Decker added that the standing water can be treated in the Spring, if necessary, for mosquito control. Ms. Marabello advised that the township does not have the funds allotted to improve the drywells at this time.

--Boards and Commissions

- Appointments –
None

- Vacancies -

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

- (3) Municipal Alliance - Full Member, 1st and 2nd Alternate

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- (1) Parks Commission – 2nd Alternate
- (1) Historic Preservation Commission – 2nd Alternate

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

Ayes: (Ferrante
(Johnson
(Mulligan
(Scott
(Taylor

Abstain: (None
Absent: (None

Nays: (None

Cranbury Township Resolution #R 08-19-119

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 09-19-120
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

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

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

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

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

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

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

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

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

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

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

CRANBURY TOWNSHIP RESOLUTION # R-09-19-121

WHEREAS, Frank and Lori Ransegnola of 21 Bodine Drive paid his final sewer bill based on an estimate; and

WHEREAS, there now exists a credit balance on the sewer account due to him in the amount of \$65.31; and

WHEREAS, the Ransegnola's have requested a refund of the credit balance;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, that the sewer credit be awarded to Frank and Lori Ransegnola in the amount of \$65.31.

Resolution #09-19-122

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF ESCROW

WHEREAS, Sudler has deposited planning escrow with Cranbury Township

WHEREAS, Sudler has requested the release of the balance of said escrow in the amount of \$31,294.25

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Cranbury authorizes the release of the above escrow deposit.

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 Director of Finance
- (b) Sudler

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Reports from Township Staff and Professionals

Mr. Decker reported on the status of Brickyard Road. He advised the members that the township applied for (2) two grants and received both. One grant was in the amount of \$570,000 and the second was an additional \$1,000,000. At this time, Brickyard Road is closed due a portion of roadway that needs maintenance. Mr. Decker discussed an option of paving the worst portion and reopening the roadway until time to close again for completion of project. Mr. Johnson requested that Mr. Decker review the area by the circle on Route 130 as well for consideration within the scope of this project. This option would provide the roadway to be open for approximately 9 months before the road closure to complete the entire project. The members discussed that this may alleviate truck traffic during the 9 months while the project is being prepared for. The Township Committee agreed to have the worst portion paved as a temporary fix until the larger scope of the project can be completed in 2020 using funds already in place.

Mayor Taylor proposed a resolution stating:
Cranbury Township Resolution #R 09-19-125

The Township of Cranbury agrees to repair a portion of Brickyard Road and authorizes the Township Engineer and Township Administrator to seek quotes for paving in order to open the roadway.

Mayor Taylor requested a motion to adopt the Resolution. On a motion by Mr. Ferrante, seconded by Mr. Mulligan and unanimously carried, the Resolution adopted by vote:

Ayes: (Ferrante
(Johnson
(Mulligan
(Scott
(Taylor

Abstain: (None
Absent: (None

Nays: (None

Ordinances –

First Reading – None

Second Reading – None

Public Comment -

Mayor Taylor opened the meeting to general public comment.

- Richard Kallan – Mr. Kallan asked if the township committee members have discussed Cranbury Township becoming a sanctuary city. The members advised that the topic had not been discussed locally. Mayor Taylor suggested that the members consider passing a resolution supporting opposing the Attorney General's directive as it relates to law enforcement and ICE. Mr. Goodell explained the rights the resolution may cover and what it may not. The members agreed to have the Mayor draft a resolution and bring before the members to review for a vote. Discussion ensued regarding the validity of the resolution as some members believed it was not necessary and irrelevant.
- Connie Bauder – Ms. Bauder requested that the water company be contacted while Toll Bros was digging on Petty Road with regards to adding a water line. Currently there are no fire hydrants on Petty Road and she believes a water line installation should be coordinated with the Toll Bros project. She added that with future climate change, she believed the aquifer may dry

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up and that something needs to be done. Mayor Taylor requested this discussion be added to the informational meeting with Toll Bros to be scheduled in the near future.

- John Jackson – Mr. Jackson stated he previously asked that Petty Road be placed on the agenda in the past regarding the connection to water. He believed the township was to contact American Water on the residents' behalf. Mayor Taylor suggested all Petty Road residents contact the water company directly to request connectivity. This will be addressed at the informational meeting with Toll Bros.
- Boncho Bonchev - Mr. Bonchev asked why the previous setback ordinance died with no vote at the last meeting and that the residents at the time did not speak against the pool portion. Mr. Ferrante asked for the setback ordinance pertaining to pools be placed on a work session for further discussion. After discussion, information will be sent to the Planning Board for the Master Plan Subcommittee to discuss and add.

Mayor Taylor closed the meeting to public comment.

Mayor Taylor asked for a motion for go into Closed Session. Mr. Ferrante made a motion and Mr. Johnson seconded. The meeting was closed to the public.

Cranbury Township Resolution # R 08-19-123

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/Possible Land Acquisition)
- Brickyard Road

- N.J.S.A. 10:4-12b (7)/Attorney-Client Privilege; Potential Litigation
- Cranbury Historical Preservation Society (CHPS) Historical Home

(Mayor Taylor recused himself from Closed Session discussions at 9:00 p.m. prior to discussion of CHPS item. Mayor Taylor is not present for remainder of meeting.)

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.

Deputy Mayor Mulligan asked for a motion to close Closed Session. Mr. Ferrante made a motion and Mr. Johnson seconded. The meeting was open to the public.

Resolution –
Non-Consent

Deputy Mayor Mulligan requested a motion to adopt the following Non-Consent Resolution. On a motion by Mr. Ferrante, seconded by Mr. Johnson, the following Resolution was adopted by vote:

Ayes: (Ferrante
(Johnson

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(Mulligan
(Scott

Abstain: (None
Absent: (Taylor - Recused

Nays: (None

Cranbury Township Resolution # R 08-19-124

RESOLUTION AUTHORIZING THE EXECUTION OF AN
AGREEMENT BETWEEN THE CRANBURY HISTORICAL & PRESERVATION
SOCIETY AND THE TOWNSHIP OF CRANBURY

BE IT RESOLVED, by the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey, that the Township is authorized to enter into an Agreement with THE CRANBURY HISTORICAL & PRESERVATION SOCIETY, regarding the Ground Lease and License Agreement pertaining to the Historic House being moved from 87 Old Trenton Road (Lot 2, in Block 20.17) dating back to 1760, to the licensed premises described in the agreement.

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized and directed to execute the Agreement.

Deputy Mayor Mulligan requested a motion to adjourn. On motion by Mr. Ferrante, seconded by Mr. Johnson and unanimously carried, the meeting adjourned at 9:22 p.m.

Debra A. Rubin, RMC
Municipal Clerk

Mayor Taylor Statement at meeting of September 9th, 2019

CHPS- I have not seen the lease nor been involved in its drafting or approval. I recused myself from this lease since I am a Trustee of the society.

My building- I lost a barn not shed it is only important as a barn is an accessory building with different zoning rules. I have zoning approval and HPC approval and copies are available via a request to Debbie our town clerk. All setbacks, height and size meet current zoning. The height would not have been compliant under the proposed ordinance so I would have needed a variance. There is no change in setbacks or floor area for my building from what is in the code today vs what I am doing. None of the TC members knew of my construction plans or of the site plan.

So let me explain the ordinance.

Why Now- it all arose during the master plan subcommittee meeting. It was raised by the zoning committee last year for action and not done. It seemed reasonable in that discussion to do it now when people are building sheds and pools.

Setbacks- Today a shed can be setback 10' from the rear yard and an accessory building 40'. Under the proposed ordinance it would change to element the term shed and have been 4'. Sheds and Accessory buildings are both subject to a 12' side yard setback which did not change.

Height- currently a building 40' back and 12' from the side yard can be 35' in height a shed 15'. The Planner recommended a common 15' height because 35' crowds a neighbor.

FAR or in laymen terms size of building on the property - today there is no cap in size a resident can build any size building provided it meets the setbacks. The Planner recommended it be changed to limit the building to 35% FAR. This may be hard for the average homeowner to calculate so I agree it was wise to reconsider.

Why two ordinances- The PB recommended that we have a common setback for all zones so the first ordinance which had a setback for the village separate from other zones had to die. A new ordinance was drafted and submitted making all zones the same.

Both had the 35% FAR which was a restriction. The PB did have concerns with 35%, but since this was more restrictive the thought on my part was let us use this and see if it needs to be tighter.

Why pools- I had people ask me to shorten the setback because 40', plus 20' for the pool width plus walk and patio was a lot of yard and could create issues. The planner said it made sense to do 25'.