

Cranbury Township Committee Minutes
October 13, 2014

The regular meeting of the Township Committee of the Township of Cranbury was held at 7:00 p.m. in the Town Hall Meeting Room. Answering present to the roll call were: Township Committee members: David Cook, Glenn Johnson, Dan Mulligan, Jay Taylor and Mayor Susan Goetz. Also present were: Denise Marabello, Township Administrator/Director of Finance and Kathleen R. Cunningham, Assistant Administrator/Clerk. Mayor Goetz 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 4, 2013 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 4, 2013.
- (3) Was filed on December 4, 2013 at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey, posted on the Township's web site and remains on file for public inspection, and
- (4) Sent to those individuals who have requested personal notice.

Regular Township Committee Minutes of September 8, 2014

On motion by Mr. Johnson, seconded by Mr. Taylor and unanimously carried, the Regular Township Committee Minutes of September 8, 2014 were adopted.

Regular Township Committee Minutes of September 22, 2014

On motion by Mr. Mulligan, seconded by Mr. Johnson and unanimously carried, the Regular Township Committee Minutes of September 22, 2014 were adopted.

Reports and Communications

--Mayor - Mayor Goetz reported second graders had visited Town Hall on October 9th. They are studying local government. Ms. Cunningham took them on a tour of Town Hall and explained the role of various offices and staff. They then came back to the Meeting Room and were allowed to ask Mayor Goetz questions. The Fire Department held their Open House this past weekend; not as many people as they expected showed up due to the rain. The rain garden in Village Park is installed however, it does not drain properly so they will be "fine tuning" it. There will be a Grand Opening on October 22nd of the new First Bank on Route 130 in Cranbury Township. Mayor Goetz also announced she was sent an invitation for a fund-raiser for Planned Parenthood; they are honoring Congressman Rush Holt with the "Frank Lautenberg Award" if anyone is interested in purchasing a ticket, she has the information.

--Members of Committee

Glenn Johnson – Mr. Johnson reported, since the last meeting, he took a tour of the Helmetta Animal Shelter; this shelter serves Cranbury Township. Mr. Johnson also attended a Municipal Alliance Committee meeting. Mayor Goetz added the Township had received some emails and calls from residents of the Township who were concerned with the Animal Shelter's practices.

Mr. Taylor – Mr. Taylor reported he had presented a program on Fire Prevention to the Cranbury Nursery School and will be going to The Cranbury School this coming week.

Mr. Mulligan – Ms. Vincelette complained again about the speeding on Cranbury Neck Road and also had some parking issues. Patrolman DeChiara went out to meet with her and took care of the issues.

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Reports and Communications (Continued)
--Members of Committee (cont'd)

Mr. Cook – Mr. Cook reported the annual “Pumpkin Carving” event is coming up at the School on the 24th of the month and recommended if residents have a chance they should stop by to take a look at the various pumpkins.

Mr. Cook also reported on the Bridge Project: The 15 inch reinforced storm drain pipe has been installed along the creek side. In addition, the issue of the four-inch cap has been addressed; they were actually able to eliminate the four-inch cap. The articulated concrete block (where the old “concrete beach” was located) is now “soiled over” and it will be landscaped. The granite curbing is being installed on both sides and the Project is within three (3) to four (4) weeks of being completed. However, the railing will not be installed until a little later as well as the PSE&G street lighting. The trees will be planted within the next two (2) weeks. Mr. Taylor stated the concrete delivery trucks seem to be delivering around 3:15 p.m. when School is just getting out and it presents a problem with the traffic. Mr. Cook indicated he is attending a meeting tomorrow with the County and will bring the issue up. Mayor Goetz asked if anyone from the public would like to speak or ask questions on the Project; no one present indicated they did.

Agenda Additions/Changes

Ms. Cunningham, Clerk, reported she has two (2) changes this evening; Cranbury Township Ordinance # 09-14-08 is being carried over due to the Planning Board not having any meetings to review the Ordinance; it will be heard on Second Reading and Public Comment at the next Township Committee Meeting to be held on Monday, October 27, 2014 at 7:00 p.m. The second item is under “Reports from Township Boards, Committees and/or Commissions”, Ms. Jane Holland is not going to be present this evening and will reschedule at a later date.

Public Comment – For Agenda Items

There were no comments.

Ordinances

First Reading

Cranbury Township Ordinance # 10-14-09

An Ordinance entitled, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, TO CORRECT A CONSERVATION EASEMENT ON BLOCK 25, LOT 44.06, was introduced for first reading. On motion by Mr. Taylor, seconded by Mr. Mulligan, the Ordinance was passed on first reading by vote:

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

Nays: (None

Public Hearing: October 27, 2014

WHEREAS, in March 2000 the Cranbury Township Planning Board granted an application for a major subdivision to create five lots; and

WHEREAS, a condition of the Planning Board approval required that a 100 foot Conservation Easement on the three lots running along the Cedar Brook; and

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Cranbury Township Ordinance # 10-14-09
(Continued)

WHEREAS, the filed plat depicted a 200 foot rather than a 100 foot Conservation Easement for Block 25, Lot 44.06 as shown on the Cranbury Township Tax Map; and

WHEREAS, the current property owners of Block 25, Lot 44.06 requested that the Conservation Easement be corrected to reflect the 100 Conservation Easement required by the Planning Board Requirements Planning Board approval; and

WHEREAS, the current property owners of Block 25, Lot 44.06 have received a Letter of Interpretation from the New Jersey Department of Environmental Protection dated August 21, 2014 depicting the wetlands located on property; and

WHEREAS, the current property owners of Block 25, Lot 44.06 have agreed that the Conservation Easement should contain and protect all of the wetlands located on the property as shown on the August 21, 2014 Letter of Interpretation; and

WHEREAS, the Township's Planning Board Engineer has reviewed the Planning Board file, the Letter of Interpretation and the plan entitled "Exhibit A – Conservation Easement Revision" dated August 14, 2014, prepared by Act Engineer's Inc.; and

WHEREAS, the Township's Planning Board Engineer agrees that the Conservation Easement for Block 25, Lot 44.06 should be corrected to a point 10 feet south of the line shown as the "Proposed Conservation Easement Modification Area" on Act Engineer's Inc. August 14, 2014 Plan; and

WHEREAS, the Township's Planning Board Engineer feels that this correction is consistent with the intent of the Township Planning Board's March 2000 Resolution and that the correction will protect the wetlands and its associated buffer;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranbury, Middlesex County, New Jersey that the Conservation Easement on Block 25, Lot 44.06 should be corrected to a point 10 feet south of the line shown as the "Proposed Conservation Easement Modification Area" on the plan entitled "Exhibit A – Conservation Easement Revision" dated August 14, 2014, prepared by Act Engineer's Inc.; and

BET IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon its passage and publication, as required by law.

Second Reading

Cranbury Township Ordinance # 09-14-08

A motion to enter an Ordinance entitled, CRANBURY TOWNSHIP ORDINANCE # 09-14-09, AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, AMENDING TOWNSHIP CODE CHAPTER 150-23 INDUSTRIAL-LIGHT IMPACT (I-LI) ZONE, was presented for second reading and final adoption. **Ms. Cunningham, Clerk, announced this Ordinance is being carried over until October 27, 2014, due to the Planning Board not having enough time to review the Ordinance as they had not met.** The Ordinance was published in the Cranbury Press posted on the Township Bulletin Board and copies were available to the public.

Resolutions
Consent

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

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

Cranbury Township Resolution # R 10-14-109

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 10-14-110

**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 2014 in the sum of \$4,936.50 which item is now available as a revenue from the State of New Jersey pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$4,936.50 is hereby appropriated under the caption "Drunk Driving Enforcement"

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 Chief Financial Officer

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Cranbury Township Resolution # R 10-14-111

A RESOLUTION CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN
AMENDMENT ENTITLED: FUTURE WASTEWATER SERVICE AREA (FWSA) MAP FOR MIDDLESEX
COUNTY, NEW JERSEY

WHEREAS, the Middlesex County Board of Chosen Freeholders desire to provide for the orderly development of wastewater facilities within Middlesex County; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on October 20, 2014 for the Future Wastewater Service Area (FWSA) map has been prepared by the Middlesex County Office of Planning;

NOW, THEREFORE, BE IT RESOLVED on this 13th day of October, 2014, by the governing body of the Township of Cranbury that:

1. The Township of Cranbury hereby consents to the amendment entitled, "Future Wastewater Service Area (FWSA) Map, and publicly noticed on October 20, 2014, prepared by the Middlesex County Office of Planning, for the purpose of its incorporation into the applicable WQM plan (s).
2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4 and to the Middlesex County Office of Planning, Division of Comprehensive Planning and the Environment.

Cranbury Township Resolution # R 10-14-112

A RESOLUTION APPROVING A CHANGE ORDER TO THE TOWNSHIP'S CONTRACT WITH
A & A PAINTING AND CONTRACTING CO.

WHEREAS, a contract was awarded to A & A Painting and Contracting Co. for a not to exceed amount of \$43,900.00 on August 11, 2014; and

WHEREAS, the Township Administrator has recommended a change order for an additional item which would increase the agreement by \$2,650.00; and

WHEREAS, The Director of Finance has certified the funds are available;

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

1. Change Order for \$2,650.00 is hereby approved.
2. This Resolution, when counter-signed by A & A Painting and Contracting Co. shall serve as an amendment to the original contract for the purpose of increasing the contract by \$2,650.00 and confirming that the new amount, including all change orders will not exceed \$46,550.00

Cranbury Township Resolution # R 10-14-113

TOWNSHIP OF CRANBURY
RENEWING A CONTRACT FOR POLICE & MUNICIPAL
VEHICLE MAINTENANCE

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Cranbury Township Resolution # R 10-14-113
(Continued)

WHEREAS, one (1) bid was received on November 1, 2011 for Township of Cranbury Police and Municipal Vehicle Maintenance; and

WHEREAS, the contract was awarded to George's Garage and Towing, Cranbury, NJ; and

WHEREAS, pursuant to N.J.S.A. 40A:11-2(38) and 11-15 the bid was for a period of up to five (5) years, said contract being awarded for a period of two (2) years for a total aggregate contract of five (5) years; and

WHEREAS, the Purchasing Agent and Public Works Superintendent have reviewed the services provided and recommend that the contract be renewed for an additional two-year period, commencing December 1, 2014 through November 30, 2016 in the amount of \$63,500.00 for each year; and

WHEREAS, the CFO has certified the funds for this expenditure are available for this contract;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Cranbury that the contract for Police & Municipal Vehicle Maintenance in the Township of Cranbury is hereby renewed with George's Garage and Towing of Cranbury, New Jersey for a two-year period ending November 30, 2016 in the maximum amount of \$63,500.00 for each year with the Township.

Cranbury Township Resolution # R 10-14-114

WHEREAS, a Tax Sale was held in the Township of Cranbury on October 23, 2013; and,

WHEREAS, US Bank as Custodian for Pro Capital I paid \$20,500.00 as a premium to obtain Tax Sale Certificate #13-00001 on Block 13 Lot 2 and,

WHEREAS, the Tax Sale certificates have been redeemed, the holder is entitled to a refund of the premium paid to obtain said certificate,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury, that a refund in the amount of \$20,500.00 be paid to US Bank as Custodian for Pro Capital III.

Cranbury Township Resolution # R 10-14-115

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE
MUNICIPAL BUDGET OF THE TOWNSHIP OF CRANBURY PURSUANT TO N.J.S.A. 40A:4-87
(CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

Section 1

NOW, THEREFORE, BE IT RESOLVED that the Township Committee hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of

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Cranbury Township Resolution # R 10-14-115
(Continued)

the year 2014 in the sum of \$1,933.97 which item is now available as a revenue from the State of New Jersey pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$1,933.97 is hereby appropriated under the caption "Body Armor"

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 Chief Financial Officer

Township of Cranbury
Resolution # R 10-14-116

Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Downtown Beautification Phase IV.

NOW, THEREFORE, BE IT RESOLVED that the Committee of Cranbury Township formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2015-Cranbury Township-00073, to the New Jersey Department of Transportation on behalf of Cranbury Township.

BE IT FURTHER RESOLVED that 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.

Certified as a true copy of the Resolution adopted by the Council
On this 13th day of October, 2014.

Township of Cranbury
Resolution # R 10-14-117.

Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Resurfacing of Brick Yard Road.

NOW, THEREFORE, BE IT RESOLVED that the Committee of Cranbury Township formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2015-Cranbury Township-00072, to the New Jersey Department of Transportation on behalf of Cranbury Township.

BE IT FURTHER RESOLVED that 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.

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Township of Cranbury
Resolution # R 10-14-117
(Continued)

Certified as a true copy of the Resolution adopted by the Council
On this 13th day of October, 2014

Certified as a true copy of the Resolution adopted by the Council
On this 13th day of October, 2014

Reports from Township Boards, Committees and/or Commissions
There were no reports.

Reports from Township Staff and Professionals
Administrator's Report – There were none.
Assistant Administrator's Report – There were none.

Public Comment

The Mayor opened the meeting to public questions and comments. Mr. Brian Schurott, Holmes Road, expressed his concern with the recent break-ins in the "Cranbury Estates" neighborhood. Mr. Schurott reported since the burglaries he and several men from the neighborhood have been walking every night to check on the well-being of the neighborhood. He recommended putting police officers on overtime to patrol the area. Mayor Goetz responded she will speak to Chief Varga. Mayor Goetz stated she will call Mr. Schurott after she speaks with Chief Varga. Mr. Mulligan stated he believes the Township needs to do a better job of getting information out and reported the Township is working with the Police Department to do so. He also stated there are some counter-measures the police are taking that he is not at liberty to report on in public. He also reported a salesperson from "ADT" was actually caught knocking on doors telling residents there had been robberies in the neighborhood until a police officer confronted him and told him he needed a solicitor's permit.

Mr. Fran McGovern, Washington Drive, stated he was here as he thought when he read the Environmental Commission's minutes from last month, Ms. Joan McGee, Stony Brook Millstone Water Shed Association, had attended that meeting and was proposing an expansion of the "buffer zone". This Ordinance was adopted two (2) to three (3) years ago. He asked if this is true, where is the Township headed and stated, as a homeowner he is not in agreement. Mayor Goetz responded the Ordinance adopted was the "Riparian Ordinance". However, it was later discovered there was no room for a person to get a variance thus tying the Township's hands. The homeowner would have to come before the Township Committee to seek a variance. The Township is now taking a look at the issue and Mayor Goetz reported Mr. Johnson is the Township Committee Liaison to the subcommittee that is presently reviewing Township ordinances and making recommendations. Mr. Johnson reported the Environmental Commission has taken the lead on the new Ordinance and has discussed with the subcommittee how wide a buffer should be as well as perhaps having different sizes for buffers. Mr. Johnson stated he believes the Environmental Commission is planning on obtaining input from the Planning and Zoning Boards before the ordinance comes to the Township Committee. Mayor Goetz stated the Township Committee is the body that can now give variances to residents however she believes it should go back to the Planning and Zoning Boards to do so as it pertains to Land Use. Mr. Mulligan stated, "For the record"; he believes it should be the Township Committee; he feels very strongly the Township Committee is the governing body of the Township and should be the body to give relief to both the businesses and homeowners when there is an encroachment of the Riparian Zone. Mr. McGovern stated he respects Ms. Magee and her role however, many residents will be impacted and need to protect his/her property rights. He further stated, he wants to make sure when the ordinance is changed, there is not an even tighter restriction for those residents who live close to water. Mr. McGovern offered to sit down with whoever to work with individuals before it is introduced by the Township Committee. Mr. Mulligan echoed Mr. McGovern's concern and emphasized it should be about relief and not about making things stricter.

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Public Comment (Continued)
Mr. Brian Schilling

Mr. Brian Schilling, Holmes Road, stated he would like to compliment the Cranbury Township Police Department for being so responsive since the recent robberies took place and for continually working to apprehend those responsible for the burglaries. Mr. Schilling urged the Township Committee to please fund any equipment needs the Police Department may have. Mayor Goetz stated the Township Committee is just as upset about what has happened in Cranbury Estates as are the neighbors. She also reported the Police are implementing plans that cannot be discussed in public and assured Mr. Schilling the Township Committee is not going to stand in their way should they have needs for equipment, etc. Mr. Schilling offered to make himself and a few others available to speak with members of the Township Committee should they desire. Mayor Goetz asked if members of the neighborhood would think it beneficial to meet with the Police Chief. Mr. Schilling did not think a meeting with the neighborhood and the Chief is necessary. There being no further comments, the Mayor closed the public part of the meeting.

Mayor's Notes

Mayor Goetz reminded everyone tomorrow evening is "Candidates' Night" and urged people to come out. It will be held at 8:00 p.m. There will be two (2) candidates there.

Mayor Goetz made the following appointments to the Board of Recreation Commissioners: Kate Hall, regular member, Kevin Lowery, Alternate 2 and Danny Rodriguez, Alternate 1.

Mr. Taylor reported the Fire Company is doing a fundraiser for the "Susan B. Komen Breast Cancer Fund" and are selling tee-shirts. They are on sale here at Town Hall at the Main Window for \$15.00 each.

On motion by Mr. Cook, seconded by Mr. Taylor and unanimously carried, the meeting adjourned at 7:46 p.m.

Kathleen R. Cunningham, RMC
Municipal Clerk