

TOWNSHIP COMMITTEE MEETING
December 22, 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 Cunningham, Municipal Clerk/Assistant Administrator. 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) 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.
- (4) Sent to those individuals who have requested personal notice.

Resolution

Mr. Taylor read Cranbury Township Resolution # R 12-14-141. On motion by Mr. Johnson seconded by Mr. Mulligan, and unanimously carried, the following Resolution was passed by vote:

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

Nays: (None

Cranbury Township Resolution # R 12-14-141

WHEREAS, Susan Goetz has been a resident of Cranbury Township for 35 years; and

WHEREAS, Susan served on the Township's Environmental Commission for three (3) years offering her expertise on many environmental issues; and

WHEREAS, Susan was elected to the Township Committee in 2012; and

WHEREAS, she was elected by her colleagues as Mayor on January 2, 2014; and

WHEREAS, through her leadership skills as well as her involvement in the Township's two (2) major projects this year; the "Brainerd Lake Dam Project" and the "Downtown Beautification Project" (serving on its subcommittee), Cranbury Township has a much-improved Downtown Business Area as well as an improved Bridge and Dam at Brainerd Lake on Main Street; and

TOWNSHIP COMMITTEE MEETING
December 22, 2014

Cranbury Township Resolution # R 12-14-141
(Continued)

WHEREAS, Susan helped foster open communication and develop a process for future Mayors by having "Coffee with the Mayor and Police Chief at Teddy's Luncheonette" this past year on many Saturday mornings; and

WHEREAS, Susan has supported open space acquisition and farmland preservation in the Township, helping to continually make Cranbury the wonderful municipality it is; and

WHEREAS, Susan has also worked with the "Turnpike Tree Subcommittee" for the "New Jersey No Net Loss Reforestation Act" grant which has given Cranbury Township many beautiful trees to add to its wonderful open space"; and

WHEREAS, Susan was re-elected to the Township Committee for another three-year term commencing on January 1, 2015;

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Cranbury hereby thanks Susan Goetz for a "job well done" and conveys its gratitude and appreciation to her as the Township's Mayor for this past year.

Mayor Goetz thanked the public, stating it was an honor to be elected, and it was especially an honor to be selected by the Committee to serve as Mayor. She stated serving this year has been a highlight of her life and has made her appreciate Cranbury even more.

Mr. Johnson stated it has been a good year, and stated Mayor Goetz left her mark as Mayor.

Mr. Mulligan thanked Mayor Goetz for all she accomplished over the past year, and noted her energy and enthusiasm. He stated two (2) major projects were successfully completed during her term. He commended Mayor Goetz especially on the "Downtown Beautification Project."

Mr. Taylor also commended Mayor Goetz, noting her opening up communication with the Town like no Mayor has done before.

Mr. and Mrs. David Nissen made a presentation of a photo of Main Street to Mayor Goetz. Mr. Nissen stated the Project most seen by the public is the beautification of Main Street. The Nissen's thanked the Mayor for her service.

Regular Township Committee Minutes of December 8, 2014

Mr. Johnson requested that a change from "applicant" to "homeowners" be made on page 13, and Ms. Cunningham confirmed the change would be made. On motion by Mr. Johnson, seconded by Mayor Goetz and unanimously carried (with Mr. Cook being absent, and Mr. Mulligan and Mr. Taylor abstaining due to absence), the Regular Township Committee Minutes of December 8, 2014, as changed, were adopted.

Reports and Communications
--Mayor Goetz

Mayor Goetz reported the Cranbury Business and Professional Association put out luminarias on Main Street last weekend, and stated Main Street looked beautiful. She also reported another "Mayor and

TOWNSHIP COMMITTEE MEETING
December 22, 2014

Reports and Communications

--Mayor Goetz (cont'd.)

Police Chief Breakfast at Teddy's" was held this past weekend, and there was again a good turnout. Mayor Goetz stated, even though the 7:00 to 9:00 a.m. time is early, there is always a good number of people. Mayor Goetz thanked the Fire Department for having Santa Claus deliver gifts around town.

Mayor Goetz reported she received a communication from PSE&G concerning some of the work being done (including repairing gas pipelines) and also notification that due to the lowering of the price of natural gas, fuel rates will be going down 9% this winter. In addition, there will be a credit for the months of November, December and January that will result in a 31% reduction in the Town's gas bill.

Mayor Goetz reported, in Mr. Cook's absence, the railings for the Lake are just about done. The railings should be installed during the second or third weeks of January. The fountain will be worked on and completed by summer.

Reports and Communications

--Township Committee

Mr. Mulligan

Mr. Mulligan commended the Cranbury Police Department for the work they do and the relationships they have with the community. He stated there is a lot of negativity about police in the country right now, and stated Cranbury is very lucky to have our police. He asked the public to stop and thank the police for the job they do.

Mr. Taylor

Mr. Taylor stated it was great riding around with Santa, and stated that is just one of the things that makes Cranbury the Town it is. He thanked the Women's Club for the caroling and Christmas tree, Public Works for setting the tree up, the Lions Club for their Pancake Breakfast, and Rabbi "Z" for the Menorah Lighting.

Mr. Johnson.

Mr. Johnson reported he attended the following meetings: Library Facilities, Municipal Alliance, and Design Review Committee. He also met with a developer who hopes to do a project in Town as well met with an outgoing Chairman of one of the Boards.

Reports and Communications

-- Subcommittees

Mr. Michael Kervan, Chief of the Cranbury Volunteer Fire Company gave his report for the past two (2) months. Chief Kervan reported the volunteers responded to 70 incidents and reported a total of 455 calls year-to-date. Chief Kervan reported they responded to two (2) serious tractor trailer fires on the Turnpike and one (1) dwelling fire in Hightstown. Chief Kervan reported "Operation Santa" was a success. He reported the graphics will be installed on the new fire truck and will soon be done. Chief Kervan reported 509.43 hours volunteering (8,572.52 year-to-date volunteer hours total). He thanked the Township Committee for supporting the volunteer incentive program. The Fire Company looks forward to having the program be a success by drawing in new members. Mayor Goetz acknowledged the many volunteer hours and thanked the Fire Company for its service to Cranbury.

Agenda Additions/Changes

Ms. Cunningham reported there were no Agenda additions or changes.

TOWNSHIP COMMITTEE MEETING
December 22, 2014

Public Comment – for Agenda Items

The Mayor opened the meeting to public questions and comments for items on the Agenda.

Ms. Bonnie Larson, Cranbury Neck Road, asked for an explanation on Resolution # R 12-14-146 – Resolution of the Township of Cranbury declaring its intent to fully comply with its current and future Mount Laurel obligations and to serve as the “Catalyst for change” to render any Mount Laurel Lawsuits as “Unnecessary Litigation”. Mayor Goetz stated this Resolution will be discussed under the Consent Agenda. There being no further comments, the Mayor closed the public portion of the meeting.

Resolutions
Consent Agenda

Mayor Goetz asked the Township Committee if there were any questions or comments on the Consent Agenda. She stated there are eight (8) Resolutions under Consent, and while some of those are routine, three (3) of those Resolutions will require some discussion: # R 12-14-142, which deals with animal control with the Borough of Helmetta; # R 12-4-146 concerning the Mount Laurel decision; and # R 12-14-148 concerning three (3) tracts of land to be considered an area in need of redevelopment.

A motion was made by Mr. Johnson, seconded by Mr. Mulligan and unanimously carried, the following Resolutions (Consent Agenda Items a, c, d, e and g) were passed by vote:

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

Cranbury Township Resolution # R 12-14-140

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 12-14-143

Cranbury Township Resolution # R 12-14-143 is attached as Exhibit A.

Cranbury Township Resolution # R 12-14-144

A RESOLUTION AUTHORIZING THE REDUCTION OF A PERFORMANCE GUARANTEE
FOR RAHWAY STEEL DRUM (LEAF INDUSTRIES)

WHEREAS, by letter dated October 23, 2014, Rahway Steel Drum has requested the reduction of their performance guarantee previously posted with the Township in accordance with Planning Board approval and

TOWNSHIP COMMITTEE MEETING
December 22, 2014

Cranbury Township Resolution # R 12-14-144
(Continued)

WHEREAS, the Township Engineer has, in a letter dated December 10, 2014 (attached hereto as "Exhibit A") recommended that the performance guarantee be reduced and the amount that shall be **released** is as follows:

Performance Bond	\$ 0.00
Cash Deposit	\$ 1,045,924.00

WHEREAS, the amount that shall be **retained** until all bonded items are complete as follows:

Performance Bond	\$ 600,000.00
Cash Deposit	\$ 159,814.50

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

1. 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 reduction 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) Rahway Steel
- (d) Township Attorney

Cranbury Township Resolution # R 12-14-145

A RESOLUTION APPROVING CHANGE ORDER NO. 1 WITH
DAVID J. HODER, PE and HODER ASSOCIATES

WHEREAS, a professional service contract was awarded to David J. Hoder, PE and Hoder Associates for Engineering Services for Planning and Zoning Resolution # R 01-14-024 on January 27, 2014; and

WHEREAS, the consultant has indicated the need for additional services; and

WHEREAS, THE Chief Financial Officer has certified said funds are available;

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

1. Change Order No. 1 is hereby approved.

TOWNSHIP COMMITTEE MEETING
December 22, 2014

Cranbury Township Resolution # R 12-14-145
(Continued)

2. This Resolution, when counter-signed by David J. Hoder, PE and Hoder Associates shall serve as an amendment to the original Contract for the purpose of increasing the contract amount by \$8,180.00 and confirming that the new Contract amount, including all change orders is \$10,680.00.

Cranbury Township Resolution # R 12-14-147

A RESOLUTION AUTHORIZING THE RELEASE OF EXTRA DUTY ESCROW

WHEREAS, Blair Park Services have outstanding credits of \$640.00 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 Blair Park Service's extra duty escrow account.

BE IT FURTHER 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) Blair Park Services

Resolution

Concerning Resolution # R 12-14-142, Mayor Goetz explained to the public that Cranbury has a Shared Services Agreement with the Borough of Helmetta to handle animal control. She stated the Township pays a certain amount per month and a certain amount per animal to Helmetta. She reported over the course of the year, it has been brought to the Township Committee's attention that there are some questions about the operations of this facility. She stated public concern has been raised and she and Mr. Johnson have received a lot of e-mails over the last couple of months. She reported recently the State SPCA did come in and take over the facility. Mayor Goetz reported the Township did go out to bid for an alternative; however, no offers were received. She stated, in the meantime, the Township must have a shelter to work with. Mayor Goetz asked Ms. Marabello to speak on the issue as she had attended a meeting held by the County. The shelter services 21 municipalities, and Ms. Marabello stated while some have pulled out, there are still quite a few that, like Cranbury, have no alternative. Ms. Marabello stated the SPCA took receivership of the shelter, and the people formerly managing the facility are no longer there. The SPCA put in a new person to train the volunteers, installed new software for tracking and record keeping. She reported the shelter was decontaminated and the quarantine is almost over. Ms. Marabello reported the shelter is practically brand new and everything is back to how it should be. She stated the issue now is whether Helmetta will want to continue to run it; perhaps the County or a non-profit will decide to run the shelter. Ms. Marabello stated the Township is legally required to have a shelter in place, and since there were no responses from the RFQ, the Township is extending the contract with Helmetta with the hope the shelter will be run efficiently. She stated Helmetta was meeting that evening to discuss what will happen with the shelter. Mayor Goetz stated since there is no current alternative, the Township will extend its agreement for one (1) year with Helmetta. The Township is not locked into the agreement, and can make a change should an alternative come up.

TOWNSHIP COMMITTEE MEETING
December 22, 2014

Cranbury Township Resolution # R 12-14-147
(Continued)

A motion was made by Mr. Johnson, seconded by Mr. Mulligan and unanimously carried, the following Resolution was passed by vote:

Ayes: (Johnson
(Mulligan
(Taylor
(Goetz

Abstain: (None
Absent: (Cook

Nays: (None

Cranbury Township Resolution # 12-14-142

RENEWING A SHARED SERVICE AGREEMENT WITH
BOROUGH OF HELMETTA

WHEREAS, the Borough of Helmetta has six (6) licensed Animal Control Officers; and

WHEREAS, the Borough of Helmetta purchased multiple vehicles for animal control services to comply with the New Jersey State Health Control Regulations; and

WHEREAS, the Borough of Helmetta has built a new impoundment facility; and

WHEREAS, Cranbury Township has a need for Animal Control Services and impoundment services; and

WHEREAS, Cranbury Township and the Borough of Helmetta are renewing a Shared Services Agreement for said services for a period of January 1, 2015 thru December 31, 2015; and

WHEREAS, pursuant to N.J.S.A. 40A:65-4, the Borough of Helmetta and Cranbury Township are authorized to enter into a Shared Services Agreement, providing said agreements are duly authorized by the governing bodies of each municipality; and

WHEREAS, the Borough of Helmetta and the Township of Cranbury have each adopted resolutions authorizing the execution of a Shared Services Agreement for animal control and impoundment services; and

WHEREAS, Cranbury Township's Director of Finance has certified funds are available for said services in the amount of \$5,724;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury, the Mayor and Clerk are hereby authorized to execute a Shared Services Agreement for Animal Control Services with Helmetta;

BE IT FURTHER RESOLVED, a duly authenticated copy of this resolution be provided to Helmetta.

TOWNSHIP COMMITTEE MEETING
December 22, 2014

Resolution

Concerning Resolution # R 12-14-146, Mayor Goetz explained to the public that municipalities throughout New Jersey have an obligation to provide affordable housing. She explained this Resolution has been recommended by our affordable housing consultant in order to protect the Township. Mr. Johnson explained the status of affordable housing in New Jersey is in the state of flux. The Supreme Court ordered COAH to publish its rules for the Third Round in October; however the rules were not published as per court order. Mr. Johnson stated up until now, if a municipality took its guidance from COAH and accepted its obligations and filed its reports on time, the municipality was shielded from "builders remedy" lawsuits. He stated the rules are not clear right now, and Counsel has advised the Township that it would be a good idea to adopt this Resolution, which states the Township will meet its obligations and pointed out Cranbury has never needed litigation from builders to bring it into compliance. Mayor Goetz further explained that in other municipalities in which a municipality has not stepped up, a lawsuit can be brought up by a developer to apply for the builders remedy in which the builder can apply to take over the obligation for building the affordable housing. Builders can build four (4) regular-priced houses for every one (1) affordable housing unit. Mayor Goetz stated Cranbury has always been compliant with affordable housing even before these obligations were in place. She stated the units are scattered through Cranbury; the units fit into the community aesthetically, and the residents are part of the community. Mayor Goetz stated by approving this Resolution, it gives some standing to say the Township is committed to affordable housing.

Mayor Goetz asked if there were any questions or public comment.

Mr. Richard Kallan, Wynnewood Drive, stated he had a different interpretation after reading the Resolution. He stated it appeared the Township would not challenge the State's mandates. Mayor Goetz stated the Township would challenge the State; however, this Resolution puts on the record so the public is aware that Cranbury is committed to affordable housing.

Ms. Cunningham stated she has been asked by the COAH attorney to put this information on the website for the public to view. Mayor Goetz stated this Resolution is re-affirming the Township's commitment to satisfy future obligations. A motion was made by Mr. Johnson, seconded by Mr. Taylor and unanimously carried, the following Resolution was passed by vote:

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

Nays: (None

Cranbury Township Resolution # R 12-14-146

A RESOLUTION OF THE TOWNSHIP OF CRANBURY DECLARING ITS INTENT
TO FULLY COMPLY WITH ITS CURRENT AND FUTURE MOUNT LAUREL
OBLIGATIONS AND TO SERVE AS THE "CATALYST FOR CHANGE" TO RENDER
ANY MOUNT LAUREL LAWSUITS AS "UNNECESSARY LITIGATION"

WHEREAS, in *So. Burlington County N.A.A.C.P. v. Tp. of Mount Laurel*, 92 N.J. 158, 279-80 (1983) ("*Mount Laurel II*"), the New Jersey Supreme Court ruled, subject to several other limitations, that in order for a plaintiff to be entitled to a builder's remedy, it must "succeed in litigation;" and

TOWNSHIP COMMITTEE MEETING
December 22, 2014

Cranbury Township Resolution # R 12-14-146
(Continued)

WHEREAS, in *Toll Bros. Inc. v. Tp. of W. Windsor*, 173 N.J. 502, 507 (2002), the Supreme Court ruled that in order for a developer to succeed in litigation, it must not only prove that the municipality failed to create a realistic opportunity to satisfy its affordable housing obligation, but also must be the “catalyst for change;” and

WHEREAS, on September 26, 2013, the Supreme Court released *In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing*, 215 N.J. 578 (2013) which completely invalidated the Round 3 regulations adopted in 2008 by the New Jersey Council on Affordable Housing (“COAH”); and

WHEREAS, on March 14, 2014, the Supreme Court issued an order directing COAH to propose new Round 3 regulations on or before May 1, 2014 and to adopt them by October 22, 2014; and

WHEREAS, the March 14, 2014 Order further provided that, if COAH failed to meet these deadlines, the Court would entertain a Motion in Aid of Litigant’s Rights which could include an application for the right, on a case-by-case basis, to file a builder’s remedy suit against a municipality under COAH’s jurisdiction, such as the Township of Cranbury (“Township”); and

WHEREAS, on April 30, 2014, in accordance with the March 14, 2014 Order, COAH proposed Round 3 regulations and published them in the New Jersey Register on June 2, 2014; and WHEREAS, COAH accepted public comments on the proposed Round 3 regulations until August 1, 2014, and indeed received roughly 3,000 comments; and

WHEREAS, on October 20, 2014, the COAH board met to consider adopting the proposed regulations; and

WHEREAS, the COAH board reached a 3-3 deadlock and therefore did not adopt the proposed regulations; and

WHEREAS, COAH therefore failed to meet the Supreme Court’s October 22, 2014 deadline; and

WHEREAS, well before the *Mt. Laurel* doctrine was articulated by the courts, the Township began providing affordable housing for residents of the region; and

WHEREAS, since 1988, the Township has been under COAH’s jurisdiction and has voluntarily complied with its *Mt. Laurel* obligations, receiving first round substantive certification from COAH on April 24, 1989, second round certification from COAH on December 4, 1996, and third round substantive certification from COAH on April 21, 2010; and

WHEREAS, the Township has fully satisfied its first and second round fair share affordable housing obligations and, indeed, has carried forward surplus credits into the third round; and

WHEREAS, COAH’s failure to adopt the most recent proposed regulations has left the Township in a continuing state of limbo despite its history of voluntary compliance with its affordable housing obligations and its ongoing commitment to satisfying its obligations voluntarily and without the need for litigation; and

TOWNSHIP COMMITTEE MEETING
December 22, 2014

Cranbury Township Resolution # R 12-14-146
(Continued)

WHEREAS, on October 31, 2014, Fair Share Housing Center ("FSHC") filed a Motion In Aid of Litigant's Rights urging the Supreme Court, among other things, to direct trial judges, instead of COAH to establish standards with which municipalities must comply; and

WHEREAS, FSHC's motion included an alternative fair share calculation for each municipality, further highlighting the uncertainty of the framework with which municipalities must ultimately comply; and

WHEREAS, as a result of future regulations, litigation, and/or legislation, it is entirely possible that the Township's obligation may indeed differ from that proposed by COAH or advocated by FSHC; and

WHEREAS, indeed, new laws may reduce the obligations of the Township under COAH's prior round regulations; and

WHEREAS, regardless of what obligation it is ultimately assigned, the Township remains committed to comply voluntarily with its fair share affordable housing obligations; and

WHEREAS, the Township brought itself under COAH's jurisdiction because all three branches of government preferred COAH's administrative process to resolve disputes over affordable housing matters rather than litigation; and

WHEREAS, the Township wishes to be in a position to complete its efforts to comply voluntarily once its obligations are defined by regulation, order from a court of competent jurisdiction, or legislation; and

WHEREAS, accordingly, the Township wishes to be in a position to seek immunity from a trial judge if the Court should rule that trial judges should perform COAH's functions so that the Township can complete its efforts to comply voluntarily with whatever standards the trial judge may determine are appropriate; and

WHEREAS, the Township herein intends to make its intentions inescapably clear to the public and all concerned.

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

1. Despite the Township's surplus affordable housing credits to address its future fair share obligation, the Township formally stipulates that, given all the uncertainty in the law, the scope of its current obligation is unknown.
2. The Township hereby reaffirms its commitment to satisfy its future affordable housing obligations voluntarily and in the absence of any *Mount Laurel* lawsuits.
3. Once its affordable housing obligations are defined by regulation, order from a court of competent jurisdiction, or legislation, the Township directs its legal and planning professionals to take all reasonable and necessary action to enable it and its Planning Board to satisfy those obligations expeditiously.

TOWNSHIP COMMITTEE MEETING
December 22, 2014

Cranbury Township Resolution # R 12-14-146
(Continued)

4. The Township Clerk is hereby directed to display this resolution in a prominent location and to post this resolution on the Township's website to place the public and all interested parties on notice of the formal commitments herein.
5. The Township hereby authorizes and directs its Affordable Housing Planner and its Affordable Housing Attorney to use this resolution in such manner as they may deem necessary and prudent to ensure that the Township maintains immunity from exclusionary zoning suits.
6. This Resolution shall take effect immediately.

Resolution

Concerning Resolution # R 12-14-148, Mayor Goetz reported this Resolution addresses the Township's desire to have a sensible and sound development plan of the approximately ten (10) acre tract of land on the corner of South Main Street and Old Trenton Road. Ms. Liz Leheny, Principal from Phillips Preiss Grygiel, LLC, was present to represent Mr. Richard Preiss, Township Planner, who could not attend the meeting. Ms. Leheny reported there are eight (8) separate tax parcels that have been under the ownership of three (3) separate entities, commonly referred to as the Cheney/Hagerty/Kushner parcel. She stated the property is approximately 11 acres, which was originally zoned for professional office/residential, and was identified in the Master Plan as a key redevelopment site as a gateway into the municipality. The Master Plan singled it as a good place for retail on Old Trenton Road and low-density residential. There has been no interest in the property over the last eight (8) years; however, now the parcel has been rezoned and a potential developer has expressed an interest in the parcel.

Ms. Leheny stated the Township can work closely with the developer and can negotiate exactly what Cranbury wants on the site. She stated there would be no eminent domain or combination of property; this would be working with the purchaser of the parcels. Ms. Leheny stated the first step would be for the Governing Body to adopt the Resolution directing the Planning Board to undertake an investigation whether the parcel would qualify as an area needing redevelopment under the criteria of the Statute. She described the redevelopment process and site plan process, which could take approximately five (5) months.

Mayor Goetz opened the discussion to the public. Mr. David Nissen, Evans Drive, inquired if the zoning will be changed. Mr. Johnson explained the application currently being discussed is very similar to what is in the Master Plan. The requested number of residential units is a little higher than stated in the Master Plan; otherwise, it is very similar to the Master Plan.

Mr. Allan Kehrt, Chairman of the Planning Board, stated Ms. Leheny did a great job on the explanation and stated the Township has been looking for a developer for this property for a long time.

Mr. Dee Wahlers, Hagerty Lane, asked if there are any disadvantages. Mayor Goetz stated a disadvantage is that this is taken out of the routine process. Mr. Wahlers stated that is a disadvantage because the routine process has served the Township well. Mr. Kehrt stated Mr. Wahlers had been a member of the Planning Board and understands the process very well. Mr. Kehrt assured Mr. Wahlers this application will go through the same process any application goes through. Mr. Kehrt stated anybody who has a stake in the project will have an opportunity to speak about it.

TOWNSHIP COMMITTEE MEETING
December 22, 2014

Cranbury Township Resolution # R 12-14-148
(Continued)

Having no additional public comment, Mayor Goetz requested a motion. A motion was made by Mr. Mulligan, seconded by Mr. Taylor and unanimously carried, the following Resolution was passed by vote:

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

Nays: (None

Cranbury Township Resolution # R 12-14-148

RESOLUTION DIRECTING THE PLANNING BOARD TO INVESTIGATE WHETHER
LOTS 7, 8, 9, 10 AND 20 OF BLOCK 20.16 AND LOTS 2, 3 AND 4 OF BLOCK 19
CAN BE CONSIDERED AN AREA IN NEED OF REDEVELOPMENT

WHEREAS, the Local Redevelopment and Housing Law gives a municipal governing body the power to cause a preliminary investigation to be made to determine whether an area of the municipality is in need of redevelopment (*N.J.S.A. 40A:12A-4a(1)*); and

WHEREAS, pursuant to the Local Redevelopment and Housing Law, no area of the municipality shall be determined to be a redevelopment area unless the governing body of the municipality first, by resolution, authorizes the planning board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area according to statutory criteria (*N.J.S.A. 40A:12a(6)*); and

WHEREAS, the tract of land bounded by South Main Street (County Route 539), Old Trenton Road (County Route 535), and Old Cranbury Road is a tract consisting of the following lots identified on the tax maps of the Township of Cranbury: Block 20.16, Lots 7, 8, 9, 10 and 20; and Block 19, Lots 2, 3 and 4, consisting of approximately 11.5 acres and is commonly referred to as the "Chaney/Hagerty/Kushner Tract"; and

WHEREAS, the Chaney and Hagerty properties include buildings that have fallen into a state of disrepair that appear to be physically and functionally obsolescent; and

WHEREAS, the Kushner property has remained vacant and undeveloped for period of more than ten years; and

WHEREAS, despite the fact that Township of Cranbury rezoned the property in 2011 in the hopes of spurring the redevelopment of all three properties, no such redevelopment has occurred; and

WHEREAS, the Township Committee would like the Cranbury Township Planning Board to determine whether the "Chaney/Hagerty/Kushner Tract" can be considered an "area in need of redevelopment," pursuant to the Local Redevelopment and Housing Law.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury in the County of Middlesex, State of New Jersey, that the Cranbury Township Planning Board is directed to undertake a preliminary investigation to determine whether the tract of land that includes Lots 7, 8, 9,

TOWNSHIP COMMITTEE MEETING
December 22, 2014

Cranbury Township Resolution # R 12-14-148
(Continued)

10 and 20 of Block 20.16 and Lots 2, 3 and 4 of Block 19, is an area of the municipality in need of redevelopment, according to the criteria set forth in the Local Redevelopment and Housing Law.

Reports from Township Boards and Commissions

There were no reports from Township Boards and Commissions.

Reports from Township Staff and Professionals

-- Administrator's Report

Ms. Marabello reported the Township's sewer maintenance agreement with Monroe Township is expiring December 31, 2014. She stated the Township went out to bid for it; however, she is not happy with the numbers received. She stated the Township reached out to South Brunswick, who is willing to maintain the sewer for one (1) month and then hopefully Cranbury will have an agreement. South Brunswick will see what the maintenance entails, negotiate the terms of the service agreement, and hopefully at the end of the month will have a Resolution.

--Assistant Administrator's Report

Ms. Cunningham stated she has nothing to report.

Public Comment

The Mayor opened the meeting to public questions and comments. There being no comments, the Mayor closed the public portion of the meeting.

Mayor's Notes

Mayor Goetz thanked the public and staff for a phenomenal year and enjoyed being Mayor this year. She stated there are more exciting projects coming up next year, including the next phase of Downtown Beautification and redevelopment. She wished everyone a wonderful holiday season.

Mayor Goetz requested a motion to adjourn. On a motion by Mr. Johnson seconded by Mulligan and unanimously carried (with Mr. Cook being absent), the meeting adjourned at 7:48 p.m.

Kathleen R. Cunningham, RMC
Municipal Clerk