

TOWNSHIP COMMITTEE MEETING
October 14, 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 (7:04 p.m.) and Mayor James Taylor all answered present. No members were absent. Also present were Denise Marabello, Township Administrator/CFO; Scott Miccio, Township Attorney; Thomas Decker, Township Engineer and Debra Rubin, Municipal Clerk. Mayor Taylor led in the salute to the flag and Debra Rubin 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 – Ms. Rubin made note that the public notice erroneously stated the Closed Session would begin at 7:00 p.m. The Closed Session will be held at the end of the meeting, as correctly noted on the agenda.

--Township Committee Regular Meeting Minutes of September 23, 2019

The Township Committee Regular Meeting Minutes of September 23, 2019 on a motion by Mr. Ferrante, seconded by Mr. Johnson. On a roll call vote of the members of the Township Committee;

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

the Township Committee Regular Meeting Minutes of September 23, 2019 were adopted.

--Reports and Communications

--Members of Committee

--Mr. Ferrante

Mr. Ferrante attended the most recent Board of Health meeting.

Mr. Ferrante was approached by a resident requesting Main Street to close on Halloween. Mayor Taylor explained that this request has been reviewed in the past and Main Street is unable to be closed on Halloween.

--Mr. Scott

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Mr. Scott reported that the recent Walk a Thon organized by the Environmental Commission was a success.

Mr. Scott added that the Cranbury Historical and Preservation Society moved the historic home. He advised that the Cranbury Historical and Preservation Society created a video which chronicles the preparation and move of the structure.

Mr. Scott asked if the entire monthly Zoning Report needed to be read into the minutes or if the mention of them would be sufficient. The committee agreed that each zoning monthly report would be placed on the township website under the "Zoning Department" for residents to locate and review in place of attachment to the minutes.

-- Mr. Mulligan -

Mr. Mulligan stated that the Library Board of Trustees are waiting final notification on the grant bill. He reported that the information should be available by the 1st quarter of 2020.

--Mr. Johnson

Mr. Johnson attended the Master Plan Subcommittee and Planning Board meetings respectively.

--Mayor Taylor

Mayor Taylor attended numerous classes participating in Fire Prevention month at Cranbury School.

Mayor Taylor also attended the Master Plan Subcommittee meeting.

He discussed the current financial status of the township and explained various uses of surplus.

--Subcommittees --

- Resident Communication – Mr. Ferrante reported that a prototype of the website was reviewed and approved. The design was completed and the webmaster is currently adding content to the site. Once the content has been added, a presentation of the new website will be made available to the committee.

--Departments Heads -- None

--Follow-up Items --

Mr. Miccio reported that the Monroe Township ordinance banning truck traffic on particular roadways recently passed. He attended the Middlesex County Transportation Forum meeting and explained the township's stance and objection. He also reported on his attendance of the Monroe Township Council where he participated in public comment on behalf of the township committee, to express the township's objection to the changes. Mr. Miccio suggested sending the Cranbury Township resolution objecting Monroe Township's ordinance to Middlesex County Planning Board and the State of New Jersey once it is adopted. The committee agreed that a cover letter be sent the State, County and affected warehouse along with a copy of the adopted resolution.

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

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**Ordinances –
First Reading –**

CRANBURY TOWNSHIP ORDINANCE 10-19-14

A CAPITAL ORDINANCE OF THE TOWNSHIP OF CRANBURY AUTHORIZING ROAD REPAIRS ON
VARIOUS TOWNSHIP ROADS BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF
MIDDLESEX, NEW JERSEY, APPROPRIATING \$387,840.00 FROM CRANBURY TOWNSHIP'S
REGULAR TRUST FUND MONIES POSTED BY NJ AMERICAN WATER AND REAPPROPRIATING
FUNDS NOT NEEDED IN THE BRICKYARD ROAD REPAIR ORDINANCE TO COVER THE COST
THEREOF.

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

SECTION 1: There is hereby approved as a capital project within the Township of Cranbury not to exceed the costs noted below:

<u>Project/Purpose</u>	<u>Cost</u>
Repair of Various Township Roads	\$387,840.00

SECTION 2: There is hereby appropriated from the Cranbury Township's Regular Trust Fund the sum of \$87,840.00 and re-appropriating \$300,000 from Capital Ordinance 05-19-09 to cover the cost of the capital project as described in Section 1 hereof.

SECTION 3: This Ordinance shall take effect upon final adoption and publication according to law.

SECTION 4: The capital budget of the Township of Cranbury is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of Local Government Services is on file with the clerk and is available there for public inspection.

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

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

Abstain: (None
Absent: (None

Nays: (None

Second Reading: October 28, 2019

(Ordinances – Contd.)

Second Reading – None

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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. Ferrante, seconded by Mr. Johnson 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 09-19-134

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 10-19-135

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR
CRANBURY BRICKYARD - VERTICAL BUILDING 3

WHEREAS, by letter Cranbury Brickyard 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 August 28, 2019 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Cash Deposit	\$ 67,208.00
Bond	\$ 604,873.00

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".

1. It hereby authorizes the release of performance guarantees set forth in the Township Engineer's letter referenced above.
2. 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:

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- (a) T&M Associates, Glenn Gerken
- (b) Township Chief Financial Officer
- (c) Cranbury Brickyard

Cranbury Township Resolution #10-19-136

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF ESCROW

WHEREAS, Leaf Industries has deposited planning escrow with Cranbury Township

WHEREAS, Leaf Industries has requested the release of the balance of said escrow in the amount of \$134.01.

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) Leaf Industries

Cranbury Township Resolution # R 10-19-137

A RESOLUTION OF THE TOWNSHIP OF CRANBURY AUTHORIZING THE EXECUTION OF AN
AGREEMENT BETWEEN THE TOWNSHIP OF CRANBURY AND THE COUNTY OF MIDDLESEX

WHEREAS, Middlesex County has created the Middlesex County Department of Public Health pursuant to N.J.S.A. 26:3A2-1 et seq. to provide an array of public health services; and

WHEREAS, the Township of Cranbury is desirous of contracting with Middlesex County for furnishing by the County to the Municipality health services of technical and professional nature; and

WHEREAS, Middlesex County has submitted a proposed agreement to provide all public health services for the Township of Cranbury for two (2) years commencing on January 1, 2020 and terminating on December 31, 2021;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury that the Mayor and Clerk be authorized to execute a Shared Services Agreement between the Township of Cranbury and the County of Middlesex for public health services; and

BE IT FURTHER RESOLVED, the Mayor and Clerk are hereby authorized to execute said Agreement on behalf of the Township of Cranbury.

CRANBURY TOWNSHIP RESOLUTION #R 10-19-138

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

TOWNSHIP COMMITTEE MEETING
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A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR RASI
LABORATORIES

WHEREAS, by letter Rasi Laboratories 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 October 2, 2019 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

Cash Deposit	\$342,999.45
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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".

3. It hereby authorizes the release of performance guarantees set forth in the Township Engineer's letter referenced above.
4. 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) Van Cleef Engineering
- (b) Township Chief Financial Officer
- (c) Rasi Laboratories

Cranbury Township Resolution # R 10-19-139

TOWNSHIP OF CRANBURY

RENEWING A CONTRACT FOR POLICE & MUNICIPAL
VEHICLE MAINTENANCE

WHEREAS, three (3) bids were received on November 10, 2016 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 total period of five (5) years, said contract being awarded for a period of three (3) years with the Township reserving the right to extend at the end of the three-year contract period for a an additional 2- twelve months total aggregate contract of five (5) years; and

WHEREAS, the Purchasing Agent, Public Works Superintendent and Chief of Police have reviewed the services provided and recommend that the contract be renewed for an additional one-year period, commencing December 1, 2019 through November 30, 2020; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of

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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 one year period ending November 30, 2020 with the Township reserving the right to renew each year for a total aggregate contract period of five (5) years.

Cranbury Township Resolution # R 10-19-139

TOWNSHIP OF CRANBURY

RENEWING A CONTRACT FOR POLICE & MUNICIPAL
VEHICLE MAINTENANCE

WHEREAS, three (3) bids were received on November 10, 2016 for Township of Cranbury Police and Municipal Vehicle Maintenance; and

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WHEREAS, the Purchasing Agent, Public Works Superintendent and Chief of Police have reviewed the services provided and recommend that the contract be renewed for an additional one-year period, commencing December 1, 2019 through November 30, 2020; and

WHEREAS, the Chief Financial Officer has certified that there will be sufficient funds 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 one year period ending November 30, 2020 with the Township reserving the right to renew each year for a total aggregate contract period of five (5) years.

Cranbury Township Resolution # R 10-19-140

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING THE RELEASE OF EXTRA DUTY ESCROW

WHEREAS, Devought House Lifters has outstanding credits of \$370.00 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 Devought House Lifter'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

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CRANBURY TOWNSHIP # R 10-19-141

**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 2019 in the sum of \$3,000.00 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 \$3,000.00 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

Resolutions

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

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

Abstain: (None
Absent: (None

Nays: (None

CRANBURY TOWNSHIP #R 10-19-142

**RESOLUTION OF THE CRANBURY TOWNSHIP COMMITTEE
OBJECTING TO TOWNSHIP OF MONROE ORDINANCE O-9-2019-026**

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WHEREAS, on October 7, 2019, the Township of Monroe adopted Ordinance O-9-2019-026, which would prohibit trucks over eight tons from traveling on the following roads between Applegarth Road in Monroe and the Cranbury/Monroe border: (1) Prospect Plains Road (County Route 614); (2) Cranbury Half Acre Road; and (3) Cranbury Station Road (County Road 615);

WHEREAS, the three roads all cross municipal borders between Cranbury Township and Monroe Township;

WHEREAS, traffic on the three roads flows directly to and from the Township of Cranbury and Cranbury's warehouse district; and

WHEREAS, Middlesex County has authority over County roads and Monroe's ordinance cannot take effect without County approval pursuant to N.J.S.A. 39:4-197.2; and

WHEREAS, the Commissioner of the New Jersey Department of Transportation is required to review Monroe's ordinance pursuant to N.J.S.A. 39:4-8, and the ordinance cannot take effect without the Commissioner's approval; and

WHEREAS, the eight-ton weight restriction imposed by Monroe's ordinance would, among other things, impede the free flow of traffic and create additional burdens on the State highway system and the regional roadway network; and

WHEREAS, the eight-ton weight restriction imposed by Monroe's ordinance would not improve traffic safety, but would instead result in unsafe and inefficient traffic flow; and

WHEREAS, by permitting trucks in excess of eight tons to travel along the three roads regardless of weight, if those trucks are making pickups or deliveries in Monroe, the Monroe ordinance discriminates against certain truck traffic based only on its intended destination; and

NOW, THEREFORE BE IT RESOLVED that the Cranbury Township Committee (1) objects to Monroe Ordinance O-9-2019-026; (2) urges the Middlesex County Board of Chosen Freeholders and the DOT not to approve the ordinance; and (3) requests an opportunity to be heard before the Board and the Commissioner prior to any such decision being made; and

BE IT FURTHER RESOLVED that a copy of this Resolution will be forwarded directly to the Middlesex County Board of Chosen Freeholders and the Commissioner of the New Jersey Department of Transportation.

Work Session –

a). Sump Pump Ordinance – Discussion with Township Attorney on the draft Sump Pump Discharge Ordinance: Mr. Decker recommended the Construction Official, or designee, be included as an enforcement official in conjunction with the Township Engineer. The proposed date of enforcement begins January 1, 2020.

Public Comment -

Mayor Taylor opened the meeting to general public comment.

- John Jackson – Mr. Jackson questioned if a letter would be sent to Petty Road residents advising them of Toll Bros presentation date. Ms. Marabello advised that Toll Bros. would be sending to the residents directly.
- Richard Kallan – Mr. Kallan questioned if the Monroe ordinance includes Applegarth Road. He believes it should be addressed that Monroe Township is acting vindictively against Cranbury

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Township warehouses and the only warehouse on Applegarth Road should be included as well. He believes this point should be added to the resolution the Township Committee is considering for adoption this evening.

- Bill Bauder – Mr. Bauder stated draft ordinances should be released to public prior to meeting for review. He is requesting the current procedure of not providing draft ordinances to the public be changed. Mr. Bauder questioned if any additional response was received from NJ DEP or Middlesex County Mosquito Commission. Mr. Decker again stated the drywells were installed prior to the current standards. The Mosquito Commission did treat the area of concern. Mayor Taylor asked Mr. Decker to prepare what the cost of repair would amount to prior to the road being completed by Toll Bros.
- John Jackson – Mr. Jackson asked that the road construction on Petty Road be completed after the housing construction is complete.
- Evelyn Spann – Ms. Spann commended the committee members for the surplus, budget and the AAA bond rating. She would encourage that in March 2020 the goal is to pay down debt and use surplus towards lake dredging, if possible. She added she hopes there will be no increase in taxes in the near future.

Mayor Taylor closed the meeting to public comment.

Closed Session

Cranbury Township Resolution # R 10-19-143

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)/Attorney Client Privilege
 - Petty Road
- N.J.S.A. 10:4-12b (7)/ Potential Litigation
 - Monroe Township

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.

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

Mayor Taylor requested a motion to adjourn. On motion by Mr. Ferrante, seconded by Mr. Scott and unanimously carried, the meeting adjourned at 8:20 p.m.

Debra A. Rubin, RMC
Municipal Clerk