

TOWNSHIP COMMITTEE REGULAR MEETING
December 21, 2020

The Township Committee Regular Meeting of the Township of Cranbury was held at 7:00 pm. by remote access videoconferencing in response to COVID-19 and the updated Open Public Meeting Act guidelines. Answering present to roll call were Township Committee members: Michael Ferrante, Barbara Rogers, Evelyn Spann, Jay Taylor and Mayor Matthew Scott. Also present were Denise Marabello, Township Administrator/CFO; Michael Owens, Chief of Police; Thomas Decker, Township Engineer; Scott Miccio, Township Attorney; and Debra Rubin, Municipal Clerk. Mayor Scott called the meeting to order and Ms. Rubin read 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 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 January 10, 2020 and remote access information added on April 24, 2020, updated on June 18, 2020.

Filed on January 10, 2020 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. Township website was updated with remote access information on April 24, 2020, updated June 18, 2020.

Sent to those individuals who have requested personal notice.

Ms. Rubin read the following additional statement:

Cranbury Township

Statement on Public Comment during Remote Meeting

The public may electronically submit questions or comments to twpcclerk@cranbury-nj.com or in written letter form via mail to Cranbury Township Town Hall no later than 4:00 p.m. the day of the scheduled Committee Meeting. Name, address and phone or email must be included. Timely submitted questions or public comment shall be read aloud and addressed during the public meeting. Duplicate written comments may be summarized and noted for the record in a consistent manner.

To eliminate background noise so that all meeting participants may hear, please mute your microphone and remain in listening mode only. The Clerk will place all remote attendees on this platform on mute as well and will manage the order of the remote participant's comments. During public comment period(s), the Clerk will make an announcement that any remote participant seeking to comment must signify their intent by using the "raise hand" feature on Zoom. The Clerk will then unmute each participant individually when it is their designated time to speak. If you do not have a question or comment, please keep your microphone muted. Please unmute yourself only at the direction of the Clerk. All remote users must state their name and address at the beginning of his/her public comment.

Should a member of the public using the Zoom platform become disruptive, that individual will be kept on mute and receive a warning that continued disruption may result in their being prevented from speaking or removed from the meeting entirely. If time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to speak.

The Township Committee will facilitate a dialogue with all commenters to the extent permitted by Zoom technology.

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In recognition of Mayor Scott, Mr. Ferrante read the following resolution in its entirety:

Cranbury Township Resolution # R 12-20-133

WHEREAS, Matthew A. Scott (Matt) having been a resident of Cranbury Township for eleven (11) years, was elected to the Cranbury Township Committee on January 1, 2018 for a three-year term and was re-elected in 2020; and

WHEREAS, Matt was elected by his colleagues to serve as Mayor on January 2, 2020; and

WHEREAS, he has dedicated many hours of his own time serving the residents of Cranbury while maintaining a full-time job and a family; and

WHEREAS, Matt has been the lead in Cranbury Township revitalizing the Cranbury Historic Downtown by creating the "Economic Development Advisory Committee"; and

WHEREAS, he is often seen at "Teddy's Luncheonette" speaking with residents on their concerns and issues with the Chief of Police; and

WHEREAS, Matt's full-time role as a front-line healthcare worker has made him instrumental in leading the township and its residents through "unprecedented times" navigating the pandemic of COVID-19; and

WHEREAS, Matt lead the Township Committee meetings while adhering to COVID-19 guidelines and utilized remote access technology newly available to keep the public present, informed and important township business moving forward seamlessly; and

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury that it hereby thanks Matt Scott for his service as Mayor during 2020, certainly a year to remember, and conveys its appreciation for doing a great job!

On a motion by Mr. Ferrante, seconded by Mrs. Spann the above Resolution was adopted by the following vote:

Ayes: (Ferrante
(Rogers
(Spann
(Scott
(Taylor

Abstain: (None
Absent: (None

Nays: (None

Mayor Scott thanked Ms. Marabello, Ms. Rubin and the entire township staff for their assistance and dedication over the last year. He also thanked his family, fellow Township Committee members and residents for their support during his year serving as Mayor.

**Reports and Communications
Members of Committee**

- Mr. Ferrante – None
- Dr. Rogers – None

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- Mrs. Spann – Mrs. Spann attended the Historic Preservation Commission meeting. She also reported that information on the upcoming Cranbury Circle traffic project is currently on the township website for residents to add their input within the public comment category.
- Mr. Taylor – Mr. Taylor highly encouraged residents to share their input on the Cranbury Circle project. He added his past experience and discussed various reasons why the Cranbury Circle project had not been completed in the past.

Mayor

- Mayor Scott – Mayor Scott instructed Mr. Ferrante to present the 2021 Goals/Priorities for the public to view. Mr. Ferrante presented the 2021 Cranbury Township Committee Priorities (attached). These will be reviewed throughout the year to check on the status of completion.

Department Head –

- Chief Owens – Chief Owens provided his monthly report. He reported on the traffic statistics, top motor vehicle stops locations, motor vehicle crash totals, new criminal investigations and other highlights for the month. Chief Owens further reported on the two (2) new officers who will be graduating the academy and beginning FTO training in the new year.

Follow up Items –

- None.

Agenda Additions/Changes – Ms. Rubin announced the addition of “Cranbury Township Resolution # R 12-20-136 – Resolution to Close Meeting to the Public”. She advised the public that there was a need for the meeting to go into Closed Session after Public Comment.

Ordinances –

First Reading – None

Second Reading – None

Resolutions – Consent

Mayor Scott asked the Township Committee if there were any questions or comments on the Consent Agenda items. Hearing none, Mayor Scott requested a motion to adopt the existing Resolutions. On a motion by Mr. Ferrante, seconded by Mrs. Spann the following Consent Resolutions were adopted by the following vote:

Ayes: (Ferrante
(Rogers
(Spann
(Scott
(Taylor

Abstain: (None
Absent: (None

Nays: (None

Cranbury Township Resolution #R 12-20-134

NOW, THEREFORE, BE IT RESOLVED, by the Township of Cranbury that all bills and claims as audited and found to be correct be paid;

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Cranbury Township Resolution # R 12-20-135

TOWNSHIP OF CRANBURY

RESOLUTION WAIVING THE TENT PERMIT FEE

WHEREAS, a Uniform Construction Code permit from the local construction office is required to maintain tents in use past November 30th; and

WHEREAS, the Township of Cranbury charges a \$50 fee for a tent permit; and

WHEREAS, per guidance from the State of New Jersey in the interest of assisting restaurants and similar assembly spaces municipalities are encouraged to waive permit fees for tents to remain in use past November 30th; and

WHEREAS, the Construction Official is requesting that his fee be waived,

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury, that the tent permit of \$50 be waived for the duration of the COVID-19 pandemic.

Cranbury Township Resolution #R 12-20-136

RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES BY CHAMBERLIN & BARCLAY, INC. (BLOCK 9.01 LOT 1, BLOCK 9 LOT 1.01, BLOCK 13 LOT 1 & BLOCK 13 LOT 6)

WHEREAS, a tax overpayment in the amount of \$5,727.03, has resulted from the overpayment of taxes due to a successful tax appeal of the properties located at Block 9.01 Lot 1 - Station Road (\$1,716.74), Block 9 Lot 1.01 - 2-4 Hights-Cran-Station Rd (\$3,741.44), Block 13 Lot 1 – 98 Halsey Reed Rd (\$153.51) and Block 13 Lot 6 – 416 Station Rd (\$115.34), owned by Chamberlin & Barclay, Inc., which have since been sold; and

WHEREAS, the Tax Collector has confirmed that a refund of this overpayment is in order;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Cranbury Township that a refund of the overpayment of taxes, in the amount of \$5,727.03, be made payable to the Chamberlin & Barclay, Inc and mailed to Ellen DeBlois, Secretary Treasurer, 3 Vineyard Ct, Monroe Twp., NJ 08831; and

BE IT FURTHER RESOVED that the appropriate Township officials are authorized to take action in accordance with this resolution.

CRANBURY TOWNSHIP RESOLUTION NO. 12-20-137

RESOLUTION AUTHORIZING THE EXECUTION OF DEED OF EASEMENT BETWEEN ALFIERI-HALF ACRE ROAD, LLC AND THE TOWNSHIP OF CRANBURY

WHEREAS, Alfieri-Half Acre Road, LLC ("Developer") is the owner of certain real property, 353 Half Acre Road, Cranbury, New Jersey, Block 5, Lot 9, as designated on the Tax Maps for the Township of Cranbury ("Property"); and

WHEREAS, pursuant to Developer's Agreement and the adopting resolution approving development on the Property, Developer is required to have a traffic signal installed at the intersection of

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Half Acre Road and Liberty Way, and must have certain other utilities and sidewalks installed and constructed; and

WHEREAS, Developer has drafted a Deed of Easement entitled, "Deed of Easement (Utility, Sidewalk, and Traffic Control Equipment (Block 5, Lot 9), attached hereto as Exhibit A, granting to the Township certain portions of the property, as is described in the Deed of Easement; and

WHEREAS, a perpetual, nonexclusive easement is required for the purpose of installing, constructing, maintaining and repairing certain utilities, a sidewalk and required traffic control equipment; and

WHEREAS, N.J.S.A. 40A:12-4 requires that the Township adopt a resolution authorizing the Township Clerk and the Township Mayor to execute the Deed of Easement;

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Cranbury authorizes the Township Clerk and the Township Mayor to execute the Deed of Easement, attached hereto as Exhibit A.

Work Session –

- EDAC – Creating ordinance for conversion from Committee to Commission – Discussion on membership, terms, responsibilities, budget, etc. – Mayor Scott began the discussion with his explanation that the EDAC was originally created to create and foster a business-friendly atmosphere to keep and retain businesses in town. He expressed his concerns with the increase in vacancies in the downtown area over this past year. He communicated the need for marketing of the town and the EDAC would be a one-stop shop for marketing. Mr. Darek Hahn and Lisa Knierim were both present as members of EDAC to discuss the budget proposal that was provided to the Township Committee. They both spoke on working with the Cranbury Business Authority and how the current members share a broad level of expertise. They discussed the need to have business information in a centralized location for better access. The members of the Township Committee weighed in on varying opinions regarding the need for an ordinance to create at this time or to leave the membership in a resolution format. Concerns discussed regarding creating an ordinance were; quorums, need for recording secretary, understanding boundaries of commission and other government restrictions along with having their distinct responsibilities drafted.

Ms. Marabello called for a straw poll of the members, which resulted in a 3-2 (Taylor/Spann) vote in favor of creating the ordinance. Mayor Scott requested the discussion move towards the specifics of the ordinance. Scott Miccio, Township Attorney, was instructed to draft ordinance for introduction at the next meeting in January. Mr. Taylor suggested that the CBA and EDAC meet and discuss how to work together.

Public Comment

Mayor Scott opened the meeting to general public comment.

- Darek Hahn – Mr. Hahn reported on hearing speeding trucks on Cranbury Neck Road during the early a.m. and late-night hours. Ms. Marabello advised Chief Owens was in attendance and was able to hear the request.

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- Joe BuonoVolonta – Mr. BuonoVolonta began to read a prepared statement and said a list of questions regarding Ordinance 11-20-11 would be forwarded to Ms. Marabello to submit to the Township Committee.
- Richard Kallan - Mr. Kallan reiterated that he had the same questions as previous resident on the same ordinance. He added he had a request for an answer regarding if anyone had spoken to the Construction Official before preparing the ordinance. He ended by stating how disappointed he was in the Township Committee's actions and how they managed the completion of this ordinance amongst other things over the past year.
- George Nikitiades – Owner Teddy's Restaurant - Mr. Nikitiades thanked the EDAC members for the work they have done for the downtown area and believes it will help the businesses moving forward. He requested a meeting with the EDAC, along with other local businesses, to meet and discuss on how to welcome more businesses into the township. He thanked them again all for their time and effort.
- Juliana Lako- Owner Studio 43 - Ms. Lako stressed that she would appreciate the opportunity to meet with the EDAC members as well.

Hearing no other public comment, Mayor Scott closed the meeting to public comment.

Action Items:

- Scott Miccio, Township Attorney – to draft and prepare ordinance creating EDAC.

Closed Session

Ms. Rubin advised the public that the public portion of the meeting has ended. The members of the Township Committee would now enter into Closed Session. The public was instructed that the only business after returning from Closed Session was to adjourn. They were advised that they would be placed in a Zoom waiting room if they remained on the platform.

After the announcement, Ms. Rubin read the following resolution:

Cranbury Township Resolution # R 12-20-138

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) Any pending or anticipated litigation or contract negotiation other than in subsection b. (4) herein in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

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.

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Mayor Scott made a motion to move into Closed Session as 9:14 p.m. On a motion by Mayor Scott, seconded by Mr. Taylor the Resolution above was adopted by the following vote:

Ayes: (Ferrante
(Rogers
(Spann
(Scott
(Taylor

Abstain: (None
Absent: (None

Nays: (None

Adjourn

Mayor Scott requested a motion to adjourn. On motion by Mr. Ferrante, seconded by Mr. Taylor and unanimously carried, the meeting adjourned at 9:36 p.m.

Debra A. Rubin, RMC
Municipal Clerk