

TOWNSHIP COMMITTEE REGULAR MEETING
May 24, 2021

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: Barbara Rogers, Matthew Scott, Evelyn Spann, Mr. Taylor and Mayor Michael Ferrante. Also present were Denise Marabello, Township Administrator/CFO; Steve Goodell; Township Attorney (7:40 p.m.) Scott Miccio, Township Attorney; and Debra Rubin, Municipal Clerk. Mayor Ferrante led in the salute to the flag, 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 22, 2021.

Filed on January 22, 2021 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 previously updated with remote access information on April 24, 2020, and 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.

Approval of Minutes: Mayor Ferrante asked if any members of the Township Committee would like to address changes or amendments to the following minutes. Hearing none, Mayor Ferrante asked for a motion to adopt the following minutes as presented:

TOWNSHIP COMMITTEE REGULAR MEETING
May 24, 2021

**--Township Committee Regular Meeting Minutes of May 10, 2021 and;
--Township Committee Closed Session Meeting Minutes of May 10, 2021**

On a motion by Mr. Scott, seconded by Dr. Rogers, along with the following roll call vote of the members of the Township Committee;

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

Abstain: (None
Absent: (None

Nays: (None

the Township Committee Regular Meeting Minutes and Closed Session Minutes of May 10, 2021 were adopted.

**Reports and Communications
Members of Committee**

- Dr. Rogers – Dr. Rogers reported on her attendance at the meetings of the Municipal Alliance meeting and the Mayor's Wellness Program. Dr. Rogers advised on the Municipal Alliance's stance to opt out of the upcoming cannabis ordinance. She added she had also attended the Communication Subcommittee meeting with the mayor and some members of EDAC.
- Mr. Scott – Mr. Scott reported on the previous Board of Education meeting. The next EDAC meeting will be held on May 25th and he plans to report on that at the next township committee meeting in June.
- Mrs. Spann – Mrs. Spann reported on her attendance at the meetings of the Environmental Commission, Historic Preservation Commission and the Zoning Committee where the members continue to work on two upcoming ordinances.
- Mr. Taylor – Mr. Taylor reported on the Recreation Board's stance to opt out of the upcoming cannabis ordinance. He added the Parks Commission discussed the modification of the current ordinance regarding no smoking in the parks.

Mayor

- Mayor Ferrante – The following items were covered under the mayor's updates;
 - COVID vaccinations in Cranbury are at 92% for first dose and 78% for adults who are fully vaccinated.
 - EDAC – Communications Subcommittee met with EDAC and discussed a bi-weekly Mayor's Newsletter.
 - Upcoming Events –
 - 5/31 – Mayor Ferrante Memorial Day speech
 - 6/3 – Cranbury Preserves overview
 - 6/5 – Guided Hikes for the preserves
 - 7/5 – Township fireworks
 - 9/11 – Cranbury Day/Helene Cody 5k
 - Cranbury's 325th anniversary beginning next year. The EDAC will assist in the promotion and organization of the festivities.

TOWNSHIP COMMITTEE REGULAR MEETING
May 24, 2021

Department Head –

- Debra Rubin, Municipal Clerk, gave an update on the upcoming June 8th Primary Election.
- Chief Owens, gave the highlights of his quarterly report. Items included were the high visibility of the officers on traffic stops, bike patrol began, officers participated in the annual Police Unity Tour in recognition of officers who died in the line of duty. Chief Owens also reported on the LEAD graduation for 5th graders.
Chief Owens discussed the list of training courses as a follow up to Dr. Rogers inquiry at a previous meeting. Chief Owens will give an update during his next report on the implementation of the body cameras.

Follow-up Items –

- Traffic Subcommittee meeting June 1st to discuss anti-idling
- Meet with Fire Chief to ask for suggestions on visibility with house numbering project.
- Follow up with NJDOT regarding noise study.

Agenda Additions/Changes – None

Ordinances –

First Reading –

– Ms. Rubin read the following ordinance by title only.

Mr. Taylor made a motion to introduce the following ordinance. Mr. Scott seconded the motion. On a roll call vote, the ordinance passed for introduction.

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

Abstain: (None

Absent: (None

Nays: (None

Cranbury Township Ordinance # 05-21-06

Bond Ordinance Supplementing Ordinance
03-21-05 Building Repairs – Diesel Tank appropriating \$310,000.00
Therefore and Authorizing the Issuance of \$294,500 Bonds or Notes of the
Township to Finance Part of the Cost Thereof

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, IN
THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof
affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance is hereby
authorized to be undertaken by the Township of Cranbury, in the County of Middlesex, New Jersey (the
“Township”) as a general improvement. For the several improvements or purposes described in Section

TOWNSHIP COMMITTEE REGULAR MEETING
May 24, 2021

3, there is hereby appropriated the sum of \$310,000, including the sum of \$15,500 as the down payment required by the Local Bond Law. The down payment is available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$294,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for financing the repair and remediation of a tanks at the public works site.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby

TOWNSHIP COMMITTEE REGULAR MEETING
May 24, 2021

amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$294,500 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$0 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to

TOWNSHIP COMMITTEE REGULAR MEETING
May 24, 2021

provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

This Ordinance was introduced on First Reading on May 24, 2021 at a meeting of the governing body of the Township of Cranbury, in the County of Middlesex, State of New Jersey. It will be further considered for final passage, after public hearing thereon, at a regular meeting of the Township Committee to be held on Monday, June 14, 2021 at 7:00 p.m. Copies are available at no charge up to and including the week of Second Reading at the Clerk's Office or by accessing the Township web site at: www.cranburytownship.org.

– Ms. Rubin read the following ordinance by title only.

Mrs. Spann made a motion to introduce the following ordinance. Dr. Rogers seconded the motion. On a roll call vote, the ordinance passed for introduction.

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

Abstain: (None

Absent: (None
Nays: (None

TOWNSHIP OF CRANBURY
ORDINANCE # 05-21-07

AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, MIDDLESEX COUNTY, NEW JERSEY,
PROHIBITING OUTDOOR STORAGE OF DEICING MATERIAL AND AMENDING SECTION 150-10 OF
THE TOWNSHIP CODE

TOWNSHIP COMMITTEE REGULAR MEETING
May 24, 2021

Resolutions – Consent

Mayor Ferrante asked the Township Committee if there were any questions or comments on the Consent Agenda items. Hearing none, Mayor Ferrante asked for a motion to approve the Consent Agenda resolution(s). On a motion by Mr. Taylor, seconded by Mrs. Spann the following Consent Resolution(s) were adopted unanimously by the following vote:

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

Abstain: (None
Absent: (None

Nays: (None

CRANBURY TOWNSHIP RESOLUTION #R 05-21-074

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 05-21-075
TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY
A RESOLUTION REAPPOINTING DEBRA A. RUBIN, RMC
AS MUNICIPAL CLERK**

WHEREAS, on June 1, 2018, the Township Committee of the Township of Cranbury appointed Debra A. Rubin as Cranbury Township Municipal Clerk; and

WHEREAS, Debra A. Rubin's three-year term will expire on May 31, 2021; and

WHEREAS, the Township wishes to reappoint Debra A. Rubin to the position of Cranbury Township Municipal Clerk pursuant to the provision of N.J.S.A. 40A:9-133 and 40A:9-133.6; and

WHEREAS; N.J.S.A. 40A9-133.7 provides that a Municipal Clerk who is reappointed to their position, having served for at least three consecutive years and holding a registered municipal clerk certification, shall continue in that position indefinitely during good behavior and efficiency not withstanding that such reappointment was for a fixed term of years, essentially granting tenure of office to that individual upon said reappointment; and

WHEREAS, the Township Committee is desirous of reappointing Debra A Rubin as the Township's Municipal Clerk, thereby granting her tenure in office in that position pursuant to N.J.S.A. 40A9-133.7

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that Debra A Rubin is hereby appointed as Municipal Clerk of the Township of Cranbury to be effective June 1, 2021. Said term of appointment shall be for three years, thus being eligible for tenure.

TOWNSHIP COMMITTEE REGULAR MEETING
May 24, 2021

CRANBURY TOWNSHIP RESOLUTION # R 05-21-076

CAPITAL BUDGET AMENDMENT

Whereas, the local capital budget for the year 2021 was adopted on the 22nd day of March 2021 and,

Whereas, it is desired to amend said adopted capital budget section.

Now, Therefore, Be It Resolved, by the Township Committee of the Township of Cranbury County of Middlesex, that the following amendment (s) to the adopted capital budget section be made:

RECORDED VOTE	((ABSTAIN
(
(Insert last names) AYES	(NAYS	(
(
	(ABSENT
(
((

TO ADD
CAPITAL BUDGET (Current Year Action)
2021

PLANNED FUNDING SERVICES FOR CURRENT YEAR 2021

5d	1	5e	2	3	4	5a	5b	5c
				6				
				Estimated	Amounts Reserved	2021	Capital	
	Grants in Aid			Total	In Prior	Budget	Improvement	Capital
	And Other		Project	Cost	To be Funded			
	<u>Project Title</u>		<u>Debt</u>		<u>Years</u>	<u>Appropriation</u>	<u>Fund</u>	<u>Surplus</u>
	<u>Funds</u>		<u>Number</u>		<u>Future Years</u>			
			<u>Auth</u>					
	Supplemental Building Repair		16	\$310,000			\$15,500	
	Diesel Tank			\$294,500				
Total 2021 Capital Budget								
				\$ 6,325,407			\$19,762	\$70,000
				\$1,705,445	\$4,530,200			

3 YEAR CAPITAL PROGRAM 2020-2022

Anticipated Project Schedule and Funding Requirement

1	2	3	4	Funding Amounts Per Budget	
Year				5a	5b
	Project	Estimated	Estimated		
			Completion		
5c	<u>Project</u>	<u>Number</u>	<u>Total Cost</u>	<u>2021</u>	<u>2022</u>
<u>2023</u>			<u>Time</u>		
	Supplemental Building Repair				
	Diesel Tank	16	\$310,000	2021	\$310,000
Total 2021-2023 Capital Programs			\$6,325,407	\$1,795,207	\$2,326,100
\$2,204,100					

TOWNSHIP COMMITTEE REGULAR MEETING
May 24, 2021

**TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX**

Cranbury Township Resolution #R 05-21-077

WHEREAS, the Township of Cranbury solicited bids for Brainerd Lake Dredging Project and;

WHEREAS, four (4) bids were received and opened on May 20, 2021: and

WHEREAS, the low responsible bid was received from SumCo Eco-Contracting, Peabody, MA in the lump sum amount of \$3,082,928.00 and

WHEREAS, SumCo Eco-Contracting has offered to provide these services to the Township; and

WHEREAS, the Township wishes to enter into an agreement with SumCo Eco-Contracting to provide these services; and

WHEREAS, the Township Attorney has reviewed the qualifications of SumCo Eco-Contracting and has recommended that the contract be awarded to SumCo Eco-Contracting and;

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A: 11-4.1 et seq., authorizes the award for purposes for which a competitive bid may be used by local units; and

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

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

1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with SumCo Eco-Contracting for Brainerd Lake Dredging Project \$3,082,928.00; and
2. A copy of the Agreement shall be available for public inspection in the Township Clerk's Office during regular business hours.

Work Session – Cannabis Law

Mayor Ferrante addressed the public and advised that the Work Session is in response to the commitment the members made to the public to hold prior to introduction of the cannabis ordinance.

Mr. Miccio explained the laws, regulations and responsibilities of the municipality. He provided background on the NJ laws for cannabis and the six (6) classes of licenses. Mr. Miccio informed all that the jurisdiction will be under the Cannabis Regulatory Commission where they adopt the rules and municipalities jurisdiction is to enact ordinances. He responded to previously asked questions from the public. At the conclusion of Mr. Miccio's report, Mayor Ferrante requested a straw poll from the township committee members regarding their position on the options of opting in or out for the preparation of the cannabis ordinance. After a straw poll, all members voted unanimously to opt out of all cannabis licensing and advised Mr. Miccio to prepare the ordinance in time of the August 21st deadline imposed by the State of New Jersey. Mr. Miccio stated the timeline for the process of the ordinance, which follows as introduction at June 14th meeting, Planning Board review at their July 1st meeting, and adoption of ordinance at the July 12th Township Committee meeting.

Public Comment

Mayor Ferrante opened the meeting to general public comment.

TOWNSHIP COMMITTEE REGULAR MEETING
May 24, 2021

- Janice Mondoker – Stated she is disappointed that there was no follow up on the tractor trailer truck situation at the previous Chamberlin and Barclay property. Mayor Ferrante advised her it is scheduled for discussion on the June 1st meeting of the Traffic Subcommittee.
- Jennifer Zefutie – Thanked Mr. Miccio, Township Attorney, for his work on the cannabis law and thanked the members of the Township Committee for hearing the residents in Cranbury which was expressed in petitions and many emails to opt out of the recent cannabis law.
- Michael Kervan – Spoke to remind residents the Cranbury Fire Department is 100% volunteer and is in need of volunteers. He added there are three (3) classes of membership for volunteers to participate.
- Melissa Marscher – Thanked the members of the Township Committee for their thoughtfulness in the decision to opt out of the recent cannabis law. She added the entire process was very organized for the public to follow and participate in.
- Joann Charwin - Thanked the members of the Township Committee for their decision to opt out of the current cannabis law. She raised concerns about drug free school zones remaining unclear in the law.
- Kathleen Morolda – Thanked the members for addressing the truck stop situation at the previous Chamberlin and Barclay property. She asked if it should be addressed as a zoning violation issue. Mayor Ferrante advised her it is scheduled for discussion on the June 1st meeting of the Traffic Subcommittee.
- Eman El-Badawi – Thanked all involved for keeping the town safe and opting out of the recent cannabis law.

Action Items:

- Draft cannabis ordinance for introduction at next meeting – S. Miccio
- Public smoking/park issue – Schedule for Fall discussion.
- Street Closure on July 5th – Traffic Subcommittee meeting of 6/1

Adjourn

Mayor Ferrante requested a motion to adjourn. On motion by Mr. Scott, seconded by Mr. Taylor and unanimously carried, the meeting adjourned at 8:48 p.m.

Debra A. Rubin, RMC
Municipal Clerk