

TOWNSHIP COMMITTEE REGULAR MEETING
January 30, 2023

The Township Committee Meeting of the Township of Cranbury was held at 7:00 p.m. in the Meeting Room of Town Hall. Answering present to roll call were Township Committee members: Eman El-Badawi, Dr. Barbara Rogers, Matthew Scott and Mayor Michael Ferrante. Lisa Knierim was absent. Also present were Denise Marabello, Township Administrator/CFO, Chief Michael Owens, Chief of Police 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 6, 2023.

Filed on January 6, 2023 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.

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:

**-- Township Committee Regular Meeting Minutes January 9, 2023; and
-- Township Committee Budget Meeting Minutes January 21, 2023**

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

Ayes: (El-Badawi
(Rogers
(Scott
(Ferrante

Abstain: (None
Absent: (Knierim

Nays: (None

the Township Committee Regular Meeting Minutes of January 9, 2023 and Township Committee Budget Meeting Minutes of January 21, 2023 were unanimously adopted by members present.

Reports and Communications:

Members of Committee

- Dr. Rogers – Dr. Rogers provided her report on both the Environmental Commission and the Board of Education though she was unable to attend the meetings. She provided an update on the Cranbury School 125th Anniversary events and the County Bike Network Plan.
- Mr. Scott – Mr. Scott was unable to attend the Parks Commission meeting and the Recreation Commission meeting was cancelled. Ms. El-Badawi attended the Parks Commission meeting and reported on his behalf.
- Ms. El-Badawi – Ms. El-Badawi reported on her attendance at the Parks Commission meeting on behalf of Mr. Scott as well as the Municipal Alliance meeting. She inquired about adding a trail to the map on the website. Ms. Marabello advised it will be updated during the Recreation and Open Space Inventory.

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- Ms. Knierim (absent) – Mayor Ferrante gave her report on her attendance at both the Board of Health and Historic Preservation Committee meetings.

Mayor

Mayor Ferrante reported on the following items that will be circulated in his Mayor's Update:

- 2023 Budget Meeting
- Coffee with the Mayor
- Bike Safety Reminder
- Updated Recycling Schedule
- Cranbury School Kindergarten Registration
- New Jersey Broadband Survey
- Cranbury Station – Call for Pictures and Paraphernalia

Reminders:

- **January 31** – Final day to Register Dog and Cat Licenses without incurring late fees
- **February 4** – Chinese New Year Celebration at the Public Library
- **February 13** – Mayor Ferrante will present his De-Mystifying Local Government presentation during the Township Committee Meeting
- **April 24-30** – Tentative Cranbury School's 125th Anniversary Celebration Week
- **May 7** – Tour de Cranbury Biking Event

Department Heads:

Police Department:

Chief Michel Owens, Chief of Police, gave his December report. Chief Owens reported that he will provide end-of-year stats once available. He reported on multiple training sessions including State mandated training and Safe Space Community training.

Agenda Additions/Changes – None.

Boards and Commissions – Mayoral Appointments/Vacancies

Mayoral Appointments:

- Parks Commission
 - Leo Ferrante to Member (term expiring 12/31/25)

Vacancies:

- Economic Development Advisory Committee:
 - Member (CBA Representative), expiring 12/31/24;
 - Member, expiring 12/31/24
- Municipal Alliance:
 - 1st Alternate, expiring 12/31/23; and
 - 2nd Alternate expiring 12/31/23.
- Parks Commission:
 - 2nd Alternate, expiring 12/31/23

Ordinances:

First Reading – None.

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Second Reading –

Prior to Ms. Rubin reading the following ordinance by title only, Mayor Ferrante summarized the ordinance for the public. Ms. Rubin then read the following ordinance by title only:

CRANBURY TOWNSHIP ORDINANCE 01-23-01

**AN ORDINANCE AMENDING THE
CODE OF THE TOWNSHIP OF CRANBURY, MIDDLESEX COUNTY,
NJ, CHAPTER 42 ENTITLED
“ECONOMIC DEVELOPMENT ADVISORY COMMITTEE”**

WHEREAS, the membership section of this code requires that at least one member shall also be a member of the Cranbury Business Association; and

WHEREAS, there is now another business association in town called the Cranbury Chamber of Commerce; and

WHEREAS, the code should include both business associations.

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

SECTION 1. The recitals contained in the foregoing preamble are incorporated herein as if fully restated.

Section 42-3 of the Code of the Township of Cranbury (“Code”), entitled “Membership; terms; vacancies,” is hereby amended and shall read as follows (additions are underlined; deletions are in [brackets]:

§ 42-3 Membership; terms; vacancies.

- A. The Cranbury Economic Development Advisory Committee shall consist of seven persons, each of whom shall be a Cranbury Township resident and/or a business owner in the Township of Cranbury, to be appointed by the Township Committee. At least one member shall also be a member of the Cranbury Business Association or Cranbury Chamber of Commerce. The members shall be appointed for terms of two years, except that three of the seven members of the Economic Development Advisory Committee first appointed shall serve one-year terms.

SECTION 2. Repealer. All ordinances and resolutions, or parts thereof, inconsistent with this Ordinance, are hereby repealed.

SECTION 3. Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 4. Effective Date. This Ordinance shall take effect immediately upon its passage and publication, as required by law.

Mayor Ferrante opened for public comment on the ordinance only.

Hearing none, Mayor Ferrante closed the public comment on the ordinance.

Mayor Ferrante opened for township committee members comment on the ordinance only.

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Hearing none, Mayor Ferrante closed the township committee comment on the ordinance.

Mr. Scott made a motion to adopt the ordinance. Ms. El-Badawi seconded the motion. On a roll call vote, the ordinance was unanimously adopted by the members present.

Ayes: (El-Badawi
(Rogers
(Scott
(Ferrante

Abstain: (None
Absent: (Knierim

Nays: (None

Prior to Ms. Rubin reading the following ordinance by title only, Mayor Ferrante summarized the ordinance for the public. Ms. Rubin then read the following ordinance by title only:

CRANBURY TOWNSHIP ORDINANCE 01-23-02

**CALENDAR YEAR 2023
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the governing body of the Township of Cranbury in the County of Middlesex finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the governing body hereby determines that a 1.0% increase in the budget for said year, amounting to \$86,715.96 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the governing body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the governing body of the Township of Cranbury, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Township of Cranbury shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$303,505.87, and that the CY 2023 municipal budget for the Township of Cranbury be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

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BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Ferrante opened for public comment on the ordinance only.

- Richard Kallan – Mr. Kallan asked if this ordinance would affect the municipal budget. Ms. Marabello responded with a brief explanation of the ordinance.

Hearing no one else, the mayor closed the public comment on the ordinance.

Mayor Ferrante opened for township committee members comment on the ordinance only.

Hearing none, Mayor Ferrante closed the township committee comment on the ordinance.

Mr. Scott made a motion to adopt the ordinance. Dr. Rogers seconded the motion. On a roll call vote, the ordinance was unanimously adopted by the members present.

Ayes: (El-Badawi
(Rogers
(Scott
(Ferrante

Abstain: (None
Absent: (Knierim

Nays: (None

Resolutions – Consent

Mayor Ferrante asked the Committee if there were any questions or if any items on the Consent Agenda should be addressed separately. Hearing none, Mayor Ferrante asked for a motion to approve the Consent Agenda. On motion by Ms. El-Badawi, seconded by Dr. Rogers, the Consent Resolutions were passed unanimously by Township Committee members present.

Ayes: (El-Badawi
(Rogers
(Scott
(Ferrante

Abstain: (None
Absent: (Knierim

Nays: (None

CRANBURY TOWNSHIP RESOLUTION # R 01-23-020

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-01-23-021

WHEREAS, in 1999 the Township of Cranbury established the annual Length of Service Award Program (LOSAP) for the Cranbury Township Fire Company and First Aid Squad to enhance the municipality's ability to retain and recruit new members; and

WHEREAS, LOSAP shall provide for annual contributions for each eligible member,

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NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY, that the Township agrees to make an annual LOSAP contribution of \$1,955.00 per eligible Fire Company and First Aid Squad member and that the total LOSAP contribution will be funded by virtue of adoption of the annual municipal operating budget.

CRANBURY TOWNSHIP RESOLUTION # R 01-23-022

RESOLUTION AUTHORIZING THE EXECUTION OF AN
ACCESS AND UTILITY EASEMENT BETWEEN TOLL BROS AND THE
TOWNSHIP OF CRANBURY

BE IT RESOLVED, by the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey, that the Township is authorized to execute the "Access and Utility Easement" for Block 25 Lots 1.169 and 1.171 with Toll Bros.

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized and directed to execute the Agreement.

CRANBURY TOWNSHIP RESOLUTION # R 01-23-023

**RESOLUTION AWARDED FARM SERVICES AGREEMENT
FOR THE FROSZTEGA AGRICULTURAL LOT**

WHEREAS, the Township of Cranbury in the County of Middlesex, State of New Jersey accepted the dedication of a \pm 31.25-acre parcel designated as Block 25, Lot 60.01 on the Cranbury Township Tax Map and known as the "Frosztega Farm" ("the Property"); and

WHEREAS, the Township seeks to procure services that will enable the Township to maintain the farmed portions of this property as productive agricultural land; and

WHEREAS, Michael Protinick of Protinick Farms has farmed the property in the past and the Township seeks to retain his farming services; and

WHEREAS, the Township seeks to compensate Mr. Protinick for his services in kind by allowing him to retain any profit realized from the sale of his crops, the value of which will not exceed \$44,000.00 per year; and

WHEREAS, because this contract amount does not exceed the bid threshold, this contract award is exempt from public bidding pursuant to N.J.S.A. 40A:11-3a. and 40A:11-6.1a; and

WHEREAS, the Township has not solicited other quotes for the provision of these services because it was not practicable to do so;

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 Michael Protinick of Protinick Farms for the provision of farming services to the Township at Block 25, Lot 60.01 on the Cranbury Township Tax Map and known as the "Frosztega Farm" the form and substance of which shall have previously been approved by the Township Attorney.
2. The contract term shall terminate on December 31, 2027.

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3. Mr. Protinick shall be paid for services in kind by allowing him to retain any profit realized from the sale of his crops, the value of which will not exceed \$44,000.00 per year.
4. The Township Administrator, Clerk, Attorney and other appropriate staff and officials are hereby authorized and directed to undertake any and all other acts as may be proper and necessary to effectuate the terms of this Resolution.

Public Comment

Mayor Ferrante reminded the public of the three (3) minute time limit for public comment. Mayor Ferrante then opened the meeting to public questions and comment.

Hearing and seeing none, Mayor Ferrante closed public comment.

Action Items

- Dr. Rogers to provide the list of roads for the County Bike Network Plan

Adjourn

With no further comments, Mayor Ferrante requested a motion to adjourn. On a motion by Ms. El-Badawi, seconded by Mr. Scott and unanimously carried, the meeting adjourned at 7:36 p.m.

Debra A. Rubin

Debra A. Rubin, RMC
Municipal Clerk