

TOWNSHIP COMMITTEE MEETING  
October 9, 2017

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: Susan Goetz, Glenn Johnson, Dan Mulligan, Jay Taylor and Mayor Dave Cook. Also present were Denise Marabello, Township Administrator/Director of Finance; and Kathleen Cunningham, Municipal Clerk/Assistant Administrator. Mayor Cook 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 5, 2016 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 5, 2016.
- (3) Filed on December 5, 2016 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.

Township Committee Minutes of September 25, 2017

On motion by Mr. Taylor, seconded by Mr. Johnson and unanimously carried (with Messrs. Cook and Mulligan abstaining due to absence), the Township Committee Minutes of September 25, 2017 were adopted.

Reports and Communications

--Mayor

Mayor Cook reported he will be having a meeting tomorrow to discuss the upcoming "Local Freight Impact Fund" grant. Mayor Cook stated he hopes this could be used for Brickyard Road should the Township be awarded the grant.

Reports and Communications

--Members of Committee

Mr. Johnson – Mr. Johnson reported he had attended meetings of the Board of Health and Library Facilities' Committee. He also attended a Development Review Committee meeting at which "Italian Touch" restaurant discussed plans for the expansion of their building. Mr. Johnson also attended a Planning Board meeting at which plans for the Alfieri Half Acre Road Project were discussed.

Mr. Johnson reported he recently wrote a letter to the United State Postal Service, South Jersey District Office regarding having a mailbox moved from in front of the Post Office to a raised island on Park Place West. He has not received a response and wanted to make sure the Township Committee still wants this done before he writes another letter as the Township would pick up two (2) parking places on North Main Street, it would probably lose five (5) head-in parking places on Park Place West. The Township Committee members unanimously agreed to have Mr. Johnson pursue this.

Mr. Taylor – Mr. Taylor reported there have been discussions taking place by the Princeton Board of Education concerning continuing to allow the Cranbury students to attend. Mr. Taylor indicated the Princeton School District receives quite a lot of money from the Cranbury School to send students to the High School.

Mr. Johnson added, in his opinion, it is very unlikely that Cranbury's sending arrangement with the High School will end. The State does not want a community to be left without access to a high school, and for that reason the process for ending such a relationship is long and involved. Mr. Johnson stated in order for a

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Reports and Communications

--Members of Committee (Continued)  
(Discussion on High School)

sending arrangement to terminate, the sending district must be able to make a sending arrangement with another school district of equal quality to the one that is leaving. Cranbury pays approximately \$5 million per year to Princeton to educate its high school students. The Princeton School Board pays more than \$5 million per year to a charter school that operates in Princeton. Further, the Cranbury School's Board Liaison to the Princeton School Board has discussed this many times, and believes our sending arrangement will continue.

Mr. Mulligan – Mr. Mulligan suggested the Township Committee have a work session with Mr. Tom Weidner, Chairman of the Parks Commission concerning the fencing in Village Park. The fencing either needs to be replaced or torn down and residents should be able to weigh in that live adjacent to it. Mr. Mulligan offered to reach out to Mr. Weidner.

Mr. Mulligan also reported new signs are done for Heritage Park and Parks would like to get similar signs for Village and Barn Park. Mr. Taylor recommended consulting with the Historical Society to make sure the Barn Park sign meets with their approval.

Ms. Goetz – Ms. Goetz reported she had moderated a “Town Hall Meeting” with the Democratic candidates for State Office, Senator Linda Greenstein, Assemblymen Wayne DeAngelo and Dan Benson. The group that sponsored the event is “Blue Forty”. Approximately 60 people attended and it was held at St. David's Church, South Main Street. It was open for all towns in the 14<sup>th</sup> Legislative District. The Group is organizing having this event in each of the 40 legislative districts throughout the State.

Reports and Communications

--Subcommittees

There were no reports from Subcommittees.

--Department Heads

There were no reports from Department Heads.

Report (Update) by Mr. Mark Berkowsky, Cranbury Housing Associates on “Applewood Court.”

Mr. Berkowsky reported on the status of Applewood Court. The parents have already been taking their children to The Cranbury School and once they move in, the children will be walking to school. He also reported 50% of the units have been leased and the Project is on budget. Mr. Berkowsky stated any additional monies will be used for landscaping on the south side of the Development. He plans on completion taking place in December with full occupancy by January.

Mr. Mulligan thanked Mr. Berkowsky and expressed the Township's gratitude for him moving so quickly on its affordable housing requirements in conjunction with the Court Order.

Follow-Up Items

There were no follow-up items.

Agenda Additions/Changes

Ms. Cunningham reported she had none.

Public Comment (For Items on Agenda)

Ms. Betty Conover, North Main Street, asked if the children who move to Applewood Court will be able to walk to school; will there be an access path for them. Mayor Cook indicated they will be able to walk to school as there will be a pathway for them to access the Village Area.

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Mayor Cook opened the meeting to public comment for items on the Agenda, and hearing none, closed the public portion of the meeting.

Ordinance  
First Reading

Cranbury Township Ordinance # 10-17-15

An Ordinance entitled, CRANBURY TOWNSHIP ORDINANCE # 10-17-15, "AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, AMENDING CHAPTER 84 ENTITLED "FIRE PREVENTION" was introduced for first reading. On motion by Mr. Taylor, seconded by Ms. Goetz, the Ordinance was passed on first reading by vote:

Ayes: (Goetz  
(Johnson  
(Mulligan  
(Taylor  
(Cook

Abstain: (None  
Absent: (None

Nays: (None

Public Hearing: Monday, October 23, 2017 at 7:00 p.m.

WHEREAS, N.J.A.C. 5-70-1.1 et seq, requires life-hazard use registration fees and permit fees be adopted by the local enforcing agency; and

WHEREAS, there are fees for fire inspections of non-life hazard uses; and

WHEREAS, N.J.A.C. 5:70-2.3 requires a certificate of smoke detector and carbon monoxide alarm compliance be issued prior to the change of occupant; and

WHEREAS, the Township of Cranbury Code Chapter 84 entitled Fire Prevention section 84-19 addresses the provisions for all of these fees; and

WHEREAS, the State of New Jersey has recently increased all of these fees by 29%; and

WHEREAS, the Fire Official recommends the Township of Cranbury increase their fees to reflect the State of New Jersey fees.

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 84-19 of the Code of the Township of Cranbury ("Code"), entitled "Fees," is hereby amended and shall read as follows (additions are underlined; deletions are in [brackets]):

**§ 84-19. Fees.**

B. In addition to the above, the fee for fire inspections of non-life hazard uses shall be as follows:

- (1) Single occupancy under 1,000 square feet: [\$45] \$58.

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Cranbury Township Ordinance # 10-17-15  
(Continued)

- (2) Single occupancy 1,001 to 2,000 square feet: [~~\$70~~] \$90.
- (3) Single occupancy 2,001 to 3,000 square feet: [~~\$95~~] \$122.
- (4) Single occupancy 3,001 to 4,000 square feet: [~~\$120~~] \$154.
- (5) Single occupancy 4,001 to 10,000 square feet; [~~\$160~~] \$206.
- (6) Single occupancy 10,001 to 20,000 square feet; [~~\$210~~] \$270.
- (7) Single occupancy 20,001 to 50,000 square feet; [~~\$360~~] \$464.
- (8) Each additional 10,000 feet in excess of 50,000 square feet; [~~\$35~~] \$45.

C. Notwithstanding Subsection A of this section, the application fee for a certificate of smoke detector and carbon monoxide alarm compliance (CSDCMAC), as required by N.J.A.C. 5:70-2.3, as said provision may from time to time be amended, shall be as follows:

- (2) Requests for a CSDCMAC received four to ten business days prior to the change of occupant: [~~\$70~~] \$90; and
- (3) Requests for a CSDCMAC received fewer than four business days prior to the change of occupant: [~~\$125~~] \$161.

D. Permit fees shall be as follows:

- (1) Type 1: \$54.
- (2) Type 2: \$214.
- (3) Type 3: \$427.
- (4) Type 4: \$641.

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.

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Cranbury Township Ordinance # 10-17-16

An Ordinance entitled, CRANBURY TOWNSHIP ORDINANCE # 10-17-16, "AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY, NEW JERSEY, AMENDING CHAPTER 143 ENTITLED "VEHICLES AND TRAFFIC'," was introduced for first reading. On motion by Mr. Johnson, seconded by Ms. Goetz, the Ordinance was passed on first reading by vote:

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

Public Hearing: Monday, October 23, 2017 at 7:00 p.m.

Ordinances  
Second Reading

Cranbury Township Ordinance # 09-17-14

A motion to enter an Ordinance entitled, CRANBURY TOWNSHIP ORDINANCE # 09-17-14, "AN ORDINANCE OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AMENDING THE PROVISIONS OF CRANBURY TOWNSHIP'S LAND DEVELOPMENT ORDINANCE REGARDING THE DEFINITION OF MINOR SITE PLAN, THE COMPOSITION AND RESPONSIBILITIES OF THE DEVELOPMENT REVIEW COMMITTEE, WHEN SITE PLAN APPROVAL IS REQUIRED, AND THE PROCESS FOR OBTAINING MINOR SITE PLAN AND MINOR SUBDIVISION APPROVAL, AND ESTABLISHING AN ADVISORY ZONING COMMITTEE." was presented for second reading and final adoption. The Ordinance was published in the Trenton Times, posted on the Township's website, posted on the Township Bulletin Board and copies were available to the public. Ms. Cunningham reported this Ordinance was referred to the Township Planning Board for approval. It was also sent to the Middlesex County Planning Board. Ms. Cunningham read the following communication from Josette Kratz, Planning Board Secretary, "The following recommendations were unanimously approved by the Planning Board on October 5, 2017:

1. "The Cranbury Township Planning Board reviewed Ordinance #09-17-14 and finds Ordinance #09-17-14 to be CONSISTENT with the Cranbury Township Master Plan and favorably Recommends the adoption of Ordinance #09-17-14".

Mr. Johnson reported this Ordinance makes changes to the way the Development Review Committee operates; it changes the definition of minor site plan and minor subdivision and, in some instances, allows the Development Review Committee to hear and decide on those applications so that the applicant doesn't need to appear before the Planning or Zoning Boards. It also establishes an Advisory Zoning Subcommittee which reports to the Township Committee and considers possible changes to the Township's land use ordinances.

The Mayor opened the public hearing on the Ordinance.

No one wished to speak, so the hearing was declared closed. On motion by Mr. Taylor, seconded by Mr. Mulligan the Ordinance was adopted by a vote:

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Cranbury Township Ordinance # 09-17-14  
(Continued)

Ayes: (Goetz  
(Johnson  
(Mulligan  
(Taylor  
(Cook

Abstain: (None  
Absent: (None

Nays: (None

Resolutions  
Consent Agenda

Mayor Cook asked the Township Committee if there were any questions or comments on the Consent Agenda. Hearing no questions or comments, he asked for a motion to approve the Consent Agenda. On a motion by Mr. Taylor, seconded by MR. Mulligan, the following Resolutions were adopted by vote:

Ayes: (Goetz  
(Johnson  
(Mulligan  
(Taylor  
(Cook

Abstain: (None  
Absent: (None

Nays: (None

Cranbury Township Resolution # R 10-17-100

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 10-17-101

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

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Cranbury Township Resolution # R 10-17-101  
(Continued)

year 2017 in the sum of \$3,037.83 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 \$3,037.83 is hereby appropriated under the caption "Drunk Driving Enforcement Fund"

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

Cranbury Township Resolution # 10-17-102

WHEREAS, the Township Committee of the Township of Cranbury has determined that it will be necessary to obtain an appraisal and survey of Block 21.03, Lot 10; and

WHEREAS, the Township is authorized to retain a professional to provide appraisal and surveying services without public advertising for its pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et. Seq. because the aforesaid services are professional in nature; and

WHEREAS, the Local Public Contracts law requires a resolution authorizing the aware of contract for the services without competitive bidding to be publicly advertised; and

WHEREAS, the professional services agreement attached hereto appropriately sets forth the obligation of the parties with respect to such services;

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

1. The Township Committee authorizes the Mayor and Clerk to execute an agreement with Martin Appraisal to provide an appraisal regarding the fair market value of the aforementioned, said agreement to run through December 31, 2017.
2. A notice of this action shall be published in the newspaper used by the Township for legal publications as required by law within ten (10) days of its passage;
3. An executed copy of the aforementioned professional agreement with Martin Appraisal and a copy of this Resolution shall be on file and available to the public for inspection in the Office of the Township Clerk.

Cranbury Township Resolution # R 10-17-103

Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Ancil Davison Section One Project

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Cranbury Township Resolution # R 10-17-103  
(Continued)

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Cranbury formally approves the grant application for the above-stated project;

BE IT FURTHER RESOLVED, that the Mayor, Township Engineer and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2018-Cranbury Township-00257 to the New Jersey Department of Transportation on behalf of Cranbury Township;

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Cranbury Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

CRANBURY TOWNSHIP # R 10-17-104

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 2017 in the sum of \$1,865.87 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 \$1,865.87 is hereby appropriated under the caption "Body Armor"

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

Cranbury Township Resolution # R 10-17-105

RESOLUTION AUTHORIZING AN AMENDMENT TO A DEVELOPER'S AGREEMENT  
BETWEEN THE TOWNSHIP OF CRANBURY AND COMPASS AT CRANBURY LLC FOR A  
DEVELOPMENT LOCATED AT BLOCK 7, LOT 17 ON THE CRANBURY TOWNSHIP TAX MAPS.

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Cranbury Township Resolution # R 10-17-105  
(Continued)

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 enter into a Developer's Agreement with "COMPASS AT CRANBURY LLC" for a Development located at Block 7, Lot 17 on the Cranbury Township Tax Maps in the Township of Cranbury, County of Middlesex, State of New Jersey; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized and directed to execute the Developer's Agreement once all conditions precedent to execution are satisfied.

Cranbury Township Resolution # R 10-17-106

A RESOLUTION APPROVING A CHANGE ORDER TO THE  
TOWNSHIP'S CONTRACT WITH GARDEN STATE SEALING, INC.

WHEREAS, a contract was awarded to Garden State Sealing, Inc. for a not to exceed amount of \$30,620.75 on August 9, 2017; and

WHEREAS, the Township Engineer has recommended a change order for additional items which would increase the agreement by \$10,450.00;

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

1. The Change Order for Garden State Sealing, Inc. is hereby approved.
2. This Resolution shall serve as an amendment to the original contract and will increase the agreement amount by \$10,450.00

Cranbury Township Resolution # R 10-17-107

RESOLUTION AUTHORIZING AN AMENDMENT TO A DEVELOPER'S AGREEMENT  
BETWEEN THE TOWNSHIP OF CRANBURY AND KEYSTONE NEW JERSEY ASSOCIATES, LLC  
FOR A DEVELOPMENT LOCATED AT BLOCK 10, LOTS 4 AND 19  
(NEW LOTS 4.01, 19.01 AND 19.02) ON THE CRANBURY TOWNSHIP TAX MAPS.

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 enter into an amendment to the Developer's Agreement with "KEYSTONE NEW JERSEY ASSOCIATES, LLC" for a Development located at Block 10, Lots 4 and 19 (New lots 4.01, 19.01 and 19.02) on the Cranbury Township Tax Maps in the Township of Cranbury, County of Middlesex, State of New Jersey; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized and directed to execute the Developer's Agreement once all conditions precedent to execution are satisfied.

Reports from Township Staff and Professionals

--Administrator's Report

Ms. Marabello stated she had nothing to report.

--Assistant Administrator's Report

Ms. Cunningham stated she had nothing to report.

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Reports from Township Boards and Commissions

Mr. Richard Kallan, Clock Winding Committee, reported Mr. Paul Mullen recently went up to the clock tower and hand painted the one hand on the clock white so it would be easily read.

Mr. Kallan also asked the status on the request for lighting for the Holiday Wreath on Town Hall as he has since found a more inexpensive way to do it. He explained it should only cost the Township approximately \$200 as opposed to \$1,000. He will touch base with Ms. Marabello, Township Administrator.

Public Comment

Mayor Cook opened the meeting to public comment.

There being no further comments, Mayor Cook closed the public comment portion of the meeting.

Mayor's Notes

Mayor Cook stated she had nothing further to report

Township Committee Members' Notes

There were no additional Committee comments.

Resolution

Mayor Cook requested a motion to go into Closed Session. On motion by Mr. Taylor, seconded by Mr. Johnson and unanimously carried, the following Resolution was adopted by vote:

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

Cranbury Township Resolution # R 10-17-108

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 (5) Land Acquisition" – Discussion of Possible Land Acquisition.

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.

On motion by Mr. Taylor, seconded by Mr. Johnson, the Committee returned to Open Session.

Mayor Cook requested a motion to adjourn. On motion by Mr. Taylor, seconded by Mr. Mulligan and unanimously carried, the meeting adjourned at 8:33 p.m.

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Kathleen R. Cunningham  
Municipal Clerk