

TOWNSHIP COMMITTEE MEETING
November 27, 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 November 13, 2017.

On motion by Mr. Mulligan, seconded by Ms. Goetz and unanimously carried, the Township Committee Minutes of November 13, 2017 were adopted.

Reports and Communications

--Mayor

Mayor Cook commended Public Works on hanging the greenery on the Lake's railings. He stated there are some issues with the lighting on several sections of the garland, and the company has reached out and offered to assist with the problem.

Mayor Cook reported this evening the Committee will be approving a Resolution which addresses the Local Freight Impact Grant, which is grant funding supplied by the State Transportation Trust Fund. Mayor Cook stated it is hoped Cranbury Township will receive some funding to make repair and repave Brickyard Road.

Reports and Communications

--Members of Committee

--Mr. Johnson

Mr. Johnson reported he attended a School Board Meeting. He stated the contract for Cranbury School Superintendent Dr. Susan Genco, was rescinded and replaced with a new five (5)-year contract, which has already been approved by the County Board of Education. Mr. Johnson stated there was a substantial amount of discussion about the future of Princeton School District. He stated there are serious space problems, and the plan is to put a third floor on the High School. He reported Princeton Township will be closing Walnut Street; however, he stated he is not sure what that means. Mr. Johnson stated the Administration Building on Valley Road will be torn down and replaced with a school for fifth and sixth grades. Ms. Goetz inquired if there is any problem with Cranbury students attending Princeton High School. Mr. Johnson stated some people in Princeton believe the space problem can be resolved by removing Cranbury students; however, he stated many are not aware of the financial aspect of the situation. He stated Cranbury Township pays Princeton over \$5 million a year to educate Cranbury students and stated Princeton pays over \$6 million to their charter schools. He explained if Cranbury students are removed, Princeton will have a \$5 million hole in their budget and stated that will not happen.

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Reports and Communications (cont'd.)

--Members of Committee

--Ms. Goetz

Ms. Goetz reported she attended the League of Municipalities and stated there is a lot of excitement and anticipation concerning the new Administration. She also commended Public Works for the wonderful job hanging the garland at the Lake. Ms. Goetz stated last Saturday was "Shop Local" and she encouraged residents to shop in Cranbury's stores.

--Mr. Mulligan

Mr. Mulligan stated he had nothing new to report.

--Mr. Taylor

Mr. Taylor reported last meeting a Resolution was done for Jacob Thompson, a young boy battling cancer, and stated sadly that Jacob passed away shortly before Thanksgiving.

Mr. Taylor commended Public Works for their work pruning trees and cleaning the Town. He also thanked Mayor Cook and Ms. Marabello for their assistance in confirming that the County has no plans to repave South Main Street, which would have affected many residents' driveway aprons.

Mr. Taylor stated for the residents at the meeting that the Redevelopment Ordinance is only being introduced this evening and public comment for that Ordinance will be at the December 11th meeting. Mayor Cook stated questions could be answered during the Public Comment portion of the meeting.

Reports and Communications

--Subcommittees

There were no reports from Subcommittees.

--Department Heads

Mr. Michael Kervan, Chief of the Cranbury Volunteer Fire Company gave his report for the past month, as follows: Fire Company responded to 37 incidents (380 incidents YTD) and 256 volunteer hours (2,711 hours YTD). Chief Kervan reported three (3) significant incidents, including fires in Plainsboro and East Windsor and a vehicle fire on Half Acre Road. Chief Kervan reported Santa will be at the Fire House on Friday, December 1st. Chief Kervan stated Santa will also be making deliveries and dropping off gifts to children on the weekend of December 16th and 17th. He stated the dates and times for gift drop off are posted on the Fire House Facebook page and on the Cranbury Info page. Chief Kervan stated the Fire Company had its officer elections and all positions have remained the same. Ms. Goetz thanked the Fire Company for hanging the wreath on Town Hall, and Mr. Taylor stated the Fire Company also cleaned the gutters at Town Hall. Mayor Cook inquired if the number of calls was similar to last year, and Chief Kervan stated the numbers were a little lower due to the change in responding to mutual aid calls. Ms. Goetz inquired about membership, and Chief Kervan stated the Fire Company lost two (2) members. Ms. Jane Elias, President of the Cranbury Woman's Club, commended the Fire Company and Chief Kervan for the wonderful tour given to the Woman's Club.

Follow-Up Items

McMansion Ordinance – Mr. Taylor stated there was nothing to report as they are still waiting to hear from the Township Planner.

Ms. Cunningham reported the Township Committee Reorganizational Meeting will be held on Tuesday, January 2nd at 6:00 p.m.

Agenda Additions/Changes

Ms. Cunningham reported there were no additions or changes to the Agenda.

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Public Comment (For Items on Agenda)

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 # 11-17-17

An Ordinance entitled, # 11-17-17, "CRANBURY TOWNSHIP ORDINANCE – AN ORDINANCE OF THE TOWNSHIP OF CRANBURY IN MIDDLESEX COUNTY, NEW JERSEY AMENDING THE REDEVELOPMENT PLAN FOR A REDEVELOPMENT AREA DESIGNATED AS "HIGH POINT REDEVELOPMENT AREA," was introduced for first reading. On motion by Ms. Goetz, seconded by Mr. Johnson, the Ordinance was passed on first reading by vote:

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

Public Hearing: December 11, 2017 at 7:00 p.m.

WHEREAS, the Township Council adopted the "Redevelopment Plan for the Cheney/Hagerty/Kushner Tract" on October 26, 2016; and

WHEREAS, the Township Council intends to approve amendments to the Redevelopment Plan to meet the needs of the Township and the developer; and

WHEREAS, the Amended Redevelopment Plan increases retail and office floor area from a maximum of 30,000 to 35,000 square feet; and

WHEREAS, the Amended Redevelopment Plan increases the number of apartments above the retail area from 12 apartments, including 7 affordable units, to a total of 16 apartments, including 7 affordable units; and

WHEREAS, the Amended Redevelopment Plan changes some of the permitted uses in the non-residential portion of the redevelopment area to permit a broader array of retail uses, and also to allow office space, including a medical office, in place of retail in the northwest corner of the tract; and

WHEREAS, the Amended Redevelopment Plan authorizes various changes to the design and layout of the mixed use area; now, therefore,

BE IT ORDAINED, by the governing body of the Township of Cranbury that:

SECTION 1. The governing body of the Township of Cranbury hereby approves the Amendment to the Redevelopment Plan, attached hereto as though fully set forth herein.

SECTION 2. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency only.

SECTION 3. This ordinance shall take effect after its final passage and publication as provided by law.

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CRANBURY TOWNSHIP ORDINANCE # 11-17-17
(Continued)

SECTION 4. If any provision of this ordinance is declared invalid, such invalidity shall not affect the other provisions of this ordinance. Furthermore, the other provisions of this ordinance are deemed to be severable and remain in full force and effect.

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 Ms. Goetz, seconded by Mr. Taylor, the following Resolutions were adopted by vote:

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

Cranbury Township Resolution # R 11-17-126

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 11-17-127

A RESOLUTION AUTHORIZING THE REDUCTION OF A PERFORMANCE GUARANTEE FOR GATEWAY CRANBURY, BLOCK 19 LOT 2, 3 & 4 and BLOCK 20 LOT 7 8, 9, 10 & 20

WHEREAS, by a letter dated October 11, 2017, Cranbury Fleet Cranbury has requested the reduction 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 November 13, 2017 (attached hereto as "Exhibit A") recommended that the performance guarantee be reduced and the amount that shall be **released** is as follows:

Performance Bond	\$	996,964.19
Cash Deposit	\$	110,773.79

WHEREAS, the amount that shall be **retained** until all bonded items are complete as follows:

Performance Bond	\$	427,270.37
Cash Deposit	\$	47,474.49

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

1. It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".

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Cranbury Township Resolution # R 11-17-127
(Continued)

2. It hereby authorizes the reduction of performance guarantees set forth in the Township Engineer's letter referenced above.
3. 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) Township Engineer
- (b) Township Chief Financial Officer
- (c) Fleet Cranbury

Cranbury Township Resolution # R 11-17-128

Resolution Authorizing the Mayor and Clerk to Execute an Access Agreement
with Cranbury Housing Associates, Inc.

WHEREAS, the Township of Cranbury has determined that the construction of affordable housing in the Township is in the public's interest; and

WHEREAS, Cranbury Township with the goal of constructing low and moderate-income affordable housing in the Township, the Township, as authorized by Cranbury Township Ordinance 11-15-21, has conveyed to Cranbury Housing Associates, Inc., a non-profit corporation of the State of New Jersey ("CHA"), having its address c/o 2551 Route 130 South, Cranbury, New Jersey 08512, certain real property known as 2665 Route 130 South (Block 26, Lot 3 on the Cranbury Township Tax Map) ("the Affordable Housing Site") to allow CHA to construct, operate and manage affordable thereon; and

WHEREAS, to further facilitate the construction of said affordable units, the Township has obtained storm water easement under, over and across Block 26, Lots 29.21 and 22 ("The Easement Areas") to serve the Affordable Housing Site; and

WHEREAS, the Township and CHA wish to memorialize their agreement with respect to the access by CHA of the Easement Areas;

NOW, THEREFORE BE IT RESOLVED, the Mayor and Clerk are hereby authorized to execute the Agreement with CHA; and

BE IT FURTHER RESOLVED, a certified copy of this resolution be presented to CHA.

Cranbury Township Resolution # R 11-17-129

Resolution Supporting State and Federal Legislation that Provides Greater Transparency
in Political Donations and Limits the Influence of Money in Politics

WHEREAS, a Supreme Court ruling made in January 2010 prohibited the government from restricting political payments from nonprofit corporations, for profit-corporations, labor unions, and other associations; and

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Cranbury Township Resolution # R 11-17-129
(Continued)

WHEREAS, the influence of a limited group of donors on the political process has expanded to the point where it can have the effect of marginalizing the views of ordinary citizens; and

WHEREAS, full transparency of all political money is necessary for the growth of an educated and informed electorate; and

WHEREAS, concerned citizens are seeking legislation which will control campaign financing, limit the influence of unregulated donors, promote transparency and fairness throughout the election process, and ensure a government that is responsible to the needs of all of the people;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey, that the Township Committee encourages the United States Congress and the New Jersey State Legislature to pursue and enact measures that provide ordinary citizens with a greater voice in the electoral process; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the United States Senators Robert Menendez and Cory Booker and Congresswoman Bonnie Watson-Coleman, State Senator Linda R. Greenstein and State Assembly Members Wayne De Angelo and Dan Benson.

CRANBURY TOWNSHIP # R 11-17-130

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 \$24,999.00 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 \$24,999.00 is hereby appropriated under the caption "HPC Inventory Update Phase II"

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CRANBURY TOWNSHIP # R 11-17-130
(Continued)

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 11-17-131

Resolution to Submit a Grant Application and Execute a Grant Contract
with the New Jersey Department of Transportation for the "Local Freight Impact Grant"

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 and Clerk are hereby authorized to submit an electronic grant application identified as "LFIF-2018-Cranbury Township-00029- Local Freight Impact Grant" to the New Jersey Department of Transportation on behalf of the Township of Cranbury.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the 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 Resolution # R 11-17-132

A RESOLUTION AUTHORIZING YEAR 2017 BUDGET TRANSFERS.

WHEREAS, there are 2017 Budget Accounts which require more funding due to circumstances not known at the beginning of the year; and

WHEREAS, there will be excess balances in budget accounts in which the expenditures will be less than projected at the beginning of the year, and

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury, that the following year 2017 Budget Transfers be authorized and made on the records and accounts of the Township:

	<u>Budget Account</u>	<u>From</u>	<u>To</u>
7-01-20-130-025	Finance - OE	\$3000.00	
7-01-42-456-027	Sewer Shared Service		\$3000.00

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Cranbury Township Resolution # R 11-17-132
(Continued)

BE IT FURTHER 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 Auditor
- (b) Township Chief Financial Officer

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.

Public Comment

Mayor Cook opened the meeting to public comment.

Mr. Richard Kallan, Wynnewood Drive and a member of the Clock Winding Committee, stated he did research on a permanent ladder to replace the retractable ladder going up to the clock tower. Mr. Kallan stated the permanent ladder would be safer. Mr. Kallan stated he wanted to obtain the Township Committee's feedback before speaking to the Construction Official, Mr. Greg Farrington. Mayor Cook stated it would be helpful for him to see a mark out of where the permanent ladder would be located. Mr. Mulligan stated the Township Committee needs to understand the cost involved for the total ladder project and the cost involved for automating the clock before moving forward. Mr. Kallan stated automating the clock would redo the work that was just done on the clock. Mayor Cook stated the ladder would probably cost less; however, the Committee would need to know the costs of the total project. Mr. Mulligan summarized the three (3) options: a complete rebuild to accommodate the permanent ladder, determine the cost of automating the clock, or a possible replacement for the current ladder. There was additional discussion about safety and costs of the various options.

Mr. Kallan, stated he understands the Noise Ordinance will not be moving forward as the Ordinance as written by the DEP would have to be adopted in its entirety; however, he made copies of an article about noise that he distributed to the Township Committee for their review. Mayor Cook stated the Noise Ordinance will have to be researched further.

Dr. John Battles, Labaw Drive, inquired where the Old Cranbury Road entrance and exit will be for the new development and asked if any documents are available showing such. Ms. Cunningham confirmed copies are available for review. Dr. Battles also brought up the issue of missing trees in Four Seasons. He stated he would like to have a conversation with the Township to discuss replacing trees. He stated they have met with the Shade Tree Commission and Ms. Kathy Easton has been very helpful. Dr. Battles stated they want to be sure the Township will approve the tree planting plan they come up with. Four Seasons did an RFP and Mayor Cook inquired what the responses were. Dr. Battles stated the costs will be in the neighborhood of \$35,000 to \$40,000. Dr. Battles stated the original trees in Four Seasons were not planted according to plan and the trees died. There was additional discussion about the types of trees to be planted and the care needed to sustain them. Mayor Cook stated he appreciated Dr. Battles' foresight and time given to the researching trees and stated costs are always a concern to the Committee. He stated he thought the planting could be done over a period of time. Mayor Cook recommended having a subcommittee of Township Committee Members as well as the Shade Tree Commission. The Township Committee stated the experts are on the Shade Tree Commission, and once a plan is developed, the Township Committee can review it and see how it may be implemented. The Committee thanked Dr. Battles for working with the Township.

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Public Comment (cont'd.)

Mr. Fred Macaro, Labaw Drive, complained about the noise coming from the construction site across from his home. He stated the heavy equipment is parked on the street right across from his house and inquired why the equipment could not be parked on the site. He also inquired about the landscaping being replaced and asked why they have to wait for the plantings. Ms. Marabello stated the resolution states plantings have to be done; however, it doesn't say by when. Mr. Macaro stated the concrete crusher also makes excessive noise. Mayor Cook stated the issue can be revisited. He stated he will request the Township Engineer go to the site to ask if things can be changed up or give reasons why it cannot be done. Mr. Macara stated the contractor could be more considerate of the residents. Ms. Marabello stated they have talked to the contractor already, and Mr. Mulligan stated the Township will again speak to them. Mayor Cook stated it will be revisited.

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

Mayor's Notes

Mayor Cook stated he had nothing further to report.

Township Committee Members' Notes

Mr. Mulligan stated due to business travel he will not be at the next Committee Meeting and stated since it is his last meeting with Ms. Goetz, he wanted to state publicly that it was a pleasure and an honor to serve on the Committee with her. Mr. Mulligan stated he and Ms. Goetz agreed more than they disagreed, and stated Ms. Goetz brought a lot to the Committee serving with honor and pride. He thanked Ms. Goetz for her service.

Mayor Cook requested a motion to adjourn. On motion by Mr. Mulligan, seconded by Mr. Johnson and unanimously carried, the meeting adjourned at 7:50 p.m.

Kathleen R. Cunningham, RMC
Municipal Clerk