

TOWNSHIP COMMITTEE MEETING
May 13, 2019

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: Mike Ferrante, Glenn Johnson, Dan Mulligan and Matt Scott. Mayor James Taylor was absent. Also present were Denise Marabello, Township Administrator/CFO; Daniel Davidow, Township Attorney; Thomas Decker, Township Engineer and Debra Rubin, Municipal Clerk. Deputy Mayor Mulligan led in the salute to the flag, and Ms. Rubin 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:

Posted on December 20, 2018 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 December 20, 2018.

Filed on December 20, 2018 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.

Ms. Rubin announced that the two resolutions listed under item #7 on the agenda would be moved above the approval of the minutes.

Mr. Mulligan read the following resolution in its entirety:

Cranbury Township Resolution # R 05-19-081

A RESOLUTION IN APPRECIATION OF LISBETH VEGHTE

WHEREAS, Lisbeth Veghte ("Beth") was appointed to the Cranbury Board of Recreation Commissioners in 1993, and

WHEREAS, Beth served as Chairperson of the Recreation Commission for over 25 years, devoting her personal time to bring recreation programs to Cranbury; and

WHEREAS, Beth has much knowledge, enthusiasm and expertise for recreation programs and activities, which she shared with many Cranbury residents; and

WHEREAS, Beth was instrumental in establishing and running the Cranbury T-Ball Program for over 20 years, a program which continues today to benefit young children of Cranbury; and

WHEREAS, Beth was a member of the Parks Commission for ten years visiting the parks/open spaces multiple times each year to make recommendations for active and passive recreational facility plans concerning their status and future needs; and

WHEREAS, while on the Parks Commission, Beth worked tirelessly enhancing the beauty of the Township's parks and open space for Cranbury citizens to enjoy resulting in Cranbury's parks and open space being the tremendous resources they are today and for future generations; and

WHEREAS, Beth volunteered for many years at Cranbury Day, and served as Co-Chairperson of Cranbury Day for the last three years, providing an annual day of enjoyment and fun for the residents of Cranbury and neighboring towns; and

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WHEREAS, Beth has been President of the Cranbury Business Association for the last three years, promoting local business in Cranbury and giving back to its customers and neighbors by organizing Second Fridays, Sidewalk Sales, Truck-a-thons, Snowman Building Contests, Holiday Luminaries on Main Street, and supporting the Township's July 4th Fireworks; and

WHEREAS, the Township of Cranbury will miss Beth's vitality and energy and her many years of excellent service to the residents of Cranbury Township.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Cranbury hereby expresses its appreciation and thanks to Beth Veghte for devoting countless volunteer hours for the benefit of our community and conveys its gratitude and appreciation for her dedication throughout the years and making a difference in the lives of Cranbury residents; and

BE IT FURTHER RESOLVED that the Township of Cranbury extends to Beth, her husband, Trip, and family its best wishes for many years of happiness in the future.

Mr. Mulligan then presented Ms. Beth Veghte with a framed resolution on behalf of the Township. Ms. Veghte expressed her enjoyment in volunteering over the years and giving back to the community. She wished everyone well and was thankful for the many years of fun.

Mr. Mulligan followed by reading the next resolution in its entirety:

Cranbury Township Resolution # R 05-19-082

A RESOLUTION IN APPRECIATION OF ED SEKELSKY

WHEREAS, Ed Sekelsky, "Ed," was appointed to the Cranbury Board of Recreation Commissioners on March 27, 2006; and

WHEREAS, the Cranbury Recreation Commission has been fortunate to have a volunteer committed to the enhancement of recreation in the Cranbury community; and

WHEREAS, Ed served on the Recreation Commission for 12 years, many of those as Chairperson, devoting his personal time to bring various recreation programs to Cranbury; and

WHEREAS, Ed was involved in the development and expansion of the men's basketball program; and

WHEREAS, Ed worked with the Mayor's Trophy Fund committee to successfully complete several capital programs including replacement of playground equipment in both Heritage and Millstone Park; and

WHEREAS, the members of the Cranbury Recreation Commission wish to extend their utmost appreciation for the work that Ed has done over the years to help bring worthwhile and interesting recreation programs to Cranbury for the benefit of the community; and

NOW, THEREFORE BE IT RESOLVED, that Ed has earned the deep appreciation of the Township Committee for his term of service on the Recreation Commission and for devoting countless volunteer hours for the benefit of our community; and

NOW, THEREFORE BE IT FURTHER RESOLVED the Township of Cranbury offers sincere thanks to Ed for making a difference in the lives of Cranbury residents and wishes him well in his future endeavors.

Mr. Mulligan then presented Mr. Ed Sekelsky with a framed resolution on behalf of the Township.

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Mr. Mulligan requested a motion to adopt the two Resolutions. On a motion by Mr. Ferrante, seconded by Mr. Johnson and unanimously carried, the above Resolutions adopted by vote:

Ayes: (Ferrante
(Johnson
(Mulligan
(Scott Abstain: (None
 Absent: (Taylor
Nays: (None

--Township Committee Regular Meeting Minutes of April 22, 2019

The Township Committee Regular Meeting Minutes of April 22, 2019 on a motion by Mr. Ferrante, seconded by Mr. Johnson. On a roll call vote of the members of the Township Committee;

Ayes: (Ferrante
 (Johnson
 (Mulligan
 (SCott
 Abstain: (None
 Absent: (Taylor
Nays: (None

the Township Committee Regular Meeting Minutes of April 22, 2019 were adopted.

Agenda Additions/Changes – As previously stated, two recognition resolutions were moved to the beginning of the meeting.

--Reports and Communications

--Members of Committee

--Mr. Johnson

Mr. Johnson reported on his attendance at various April monthly meetings which included; Board of Education, Development Review Committee, Master Plan Subcommittee and Planning Board meetings. He explained that the Highpoint Development had (26) previous instances where they had deviated from the approved plan. The Planning Board had previously settled (23) of those deviations and settled the remaining (3) at the most recent Planning Board meeting. These items were all involved in the residential portion of the project. He also stated Kathy Elliott was named "Teacher of the Year" and discussed the school tax and the total tax decrease to Cranbury residents.

--Mr. Scott

Mr. Scott inquired about the deer management plan which was discussed at the previous meeting. Ms. Marabello advised that she had been in contact with the DEP and suggests the plan be modeled after Plainsboro Townships'. This would include farms that are township owned but are leased by the farmers. She added that the deer management plan would only be allowed during bow season.

Mr. Scott questioned the Petty Road drainage complaints being received. Thomas Decker to follow up with the DEP on regulations pertaining to the use of a swale.

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--Mr. Ferrante

Mr. Ferrante reported that the Resident Subcommittee team decided upon sending a quarterly mailing (1) page newsletter along with sewer mailings and a separate mailing to septic users. The goal is to drive all residents to utilize E-News by 2020.

Mr. Ferrante also reported that he attended the April Board of Health meeting and the Master Plan Subcommittee Meeting held on April 25th. Mr. Ferrante expressed his gratitude for the planning and execution of the Master Plan meeting as he believed it was a great session and informative.

He added that the Municipal Alliance Health and Wellness Fair was scheduled for May 18th.

--Mr. Mulligan

Mr. Mulligan stated he agreed with the proposal of a deer management plan.

Mr. Mulligan added that the Memorandum of Understanding with Cranbury Housing Associates counts for (3) credits towards the Affordable Housing Plan for Cranbury. The MOU was discussed at the April 22nd Work Session.

Mr. Mulligan also attended the April Library Board of Trustees meeting and the recent Planning Board meeting.

--Subcommittees – None

--Departments Heads –

Denise Marabello - Township Administrator/Chief Financial Officer –

Ms. Marabello reported on:

- Standards & Poors AAA Bond Rating – Cranbury continues with “AAA” rating. She advised that bonds were sold and she explained the terms and rates of interest of the bonds.
- Police Unity Tour – Lt. Michael Owens and Officer Robert Giaccone participated in the ride to Washington D.C. with Sgt. Douglas Mayer and Officer Jeffrey Morley assisting by riding along with extra equipment, if needed. She would like to congratulate the officers for a job well done!
- Recycling Shed – The hours had been recently changed by Public Works Director to Monday and Thursday 8:00 a.m. – 3:00 p.m. due to illegal dumping of some materials at the site. Due to residents’ complaints of less hours for use, Ms. Marabello is requesting the committee’s recommendation on hours of use. At this time, the members agreed to return the times to Monday – Friday 8:00 a.m. – 3:00 p.m. for a month trial period and follow up after to reevaluate any illegal dumping issues or monitoring problems.

--Follow-up Items

None

--Boards and Commissions – Vacancies

Ms. Rubin read the vacancies for the following boards and commissions:

- (3) Municipal Alliance - Full Member, 1st and 2nd Alternate
- (1) Parks Commission – 2nd Alternate
- (1) Historic Preservation Commission – 2nd Alternate

Ordinances –

First Reading –

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CRANBURY TOWNSHIP ORDINANCE 05-19-08

A CAPITAL ORDINANCE OF THE TOWNSHIP OF CRANBURY AUTHORIZING THE CONSTRUCTION OF GROUP HOME AFFORDABLE HOUSING TO BE SITUATED ON 349 OLD CRANBURY ROAD BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$75,000.00 FROM CRANBURY TOWNSHIP'S AFFORDABLE HOUSING TRUST FUND TO COVER THE COST THEREOF.

BE IT ORDAINED by the Township Committee of the Township of Cranbury as follows:

SECTION 1: There is hereby approved as a capital project within the Township of Cranbury not to exceed the costs noted below:

<u>Project/Purpose</u>	<u>Cost</u>
Construction Costs for the Elizabeth M Wagner Group Home	\$75,000.00

SECTION 2: There is hereby appropriated from the Cranbury Township's Affordable Housing Trust Fund the sum of \$75,000.00 to cover the cost of the capital projects as described in Section 1 hereof.

SECTION 3: This Ordinance shall take effect upon final adoption and publication according to law.

SECTION 4: The capital budget of the Township of Cranbury is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of Local Government Services is on file with the clerk and is available there for public inspection.

On motion by Mr. Johnson, seconded by Mr. Scott, the Ordinance was introduced on first reading by vote:

Ayes: (Ferrante (Johnson (Mulligan (Scott	Abstain: (None Absent: (Taylor
Nays: (None	

CRANBURY TOWNSHIP ORDINANCE 05-19-09

A CAPITAL ORDINANCE OF THE TOWNSHIP OF CRANBURY AUTHORIZING THE REPAIR OF BRICKYARD ROAD BY THE TOWNSHIP OF CRANBURY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$725,000.00 FROM CRANBURY TOWNSHIP'S REGULAR TRUST FUND MONIES POSTED BY CRANBURY BRICKYARD LLC FOR ROAD IMPROVEMENTS TO COVER THE COST THEREOF.

BE IT ORDAINED by the Township Committee of the Township of Cranbury as follows:

SECTION 1: There is hereby approved as a capital project within the Township of Cranbury not to exceed the costs noted below:

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<u>Project/Purpose</u>	<u>Cost</u>
Repair of Brickyard Road	\$725,000.00

SECTION 2: There is hereby appropriated from the Cranbury Township's Regular Trust Fund the sum of \$725,000.00 to cover the cost of the capital projects as described in Section 1 hereof.

SECTION 3: This Ordinance shall take effect upon final adoption and publication according to law.

SECTION 4: The capital budget of the Township of Cranbury is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of Local Government Services is on file with the clerk and is available there for public inspection.

On motion by Mr. Ferrante, seconded by Mr. Johnson, the Ordinance was introduced on first reading by vote:

Ayes: (Ferrante (Johnson (Mulligan (Scott	Abstain: (None Absent: (Taylor
Nays: (None	

Ordinances
Second Reading - None

Resolutions
Consent Agenda

Mr. Mulligan asked the Township Committee if there were any questions or comments on the Consent Agenda. Hearing no questions or comments, Mr. Mulligan requested a motion to adopt the Consent Resolutions. On a motion by Mr. Johnson, seconded by Mr. Scott and unanimously carried, the following Resolutions adopted by vote:

Ayes: (Ferrante (Johnson (Mulligan (Scott	Abstain: (None Absent: (Taylor
Nays: (None	

Cranbury Township Resolution #R 05-19-083

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

TOWNSHIP OF CRANBURY RESOLUTION #05-19-084

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APPOINTING TOWNSHIP TAX COLLECTOR

WHEREAS, there was a vacancy in the office of Township Tax Collector; and

WHEREAS, Toni Mullen has been performing the duties of Tax Collector for the Township since February 11, 2019; and

WHEREAS, Ms. Mullen has completed her 90-day probationary period; and

WHEREAS, it is the recommendation of the Township Administrator that Toni Mullen be appointed to fill this position effective May 13, 2019; and

WHEREAS, Ms. Mullen is a Certified Tax Collector pursuant to the Laws of the State of New Jersey, holding Certificate #T-8329; and

WHEREAS, *N.J.S.A. 40A:9-142* provides for the Tax Collector term of office; and

WHEREAS, Ms. Mullen will serve as Tax Collector for a four-year term ending December 31, 2022;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that Toni Mullen is hereby appointed to the office of Township Tax Collector, effective May 13, 2019, for a four-year term ending December 31, 2022.

Cranbury Township Resolution #R 05-19-085

**RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF
TAXES ON 13 HAGERTY LANE (BLOCK 20 LOT 10.71)**

WHEREAS, a tax overpayment in the amount of \$288.94, has resulted from the Homestead Benefit of the property owner being applied to property located at 13 Hagerty Lane (Block 28, Lot 10.71); 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 \$288.94, be made payable to the Estate of Louis Molluso and mailed to John Molluso, Executor of the Estate, 65 McKinley Ave C1-7, White Plains, NY 10606; and

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

Cranbury Township Resolution # R 05-19-086

**RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S
AGREEMENT WITH "VERDE GROUP, LLC" FOR THE "THE ENCLAVE" DEVELOPMENT LOCATED
AT BLOCK 21.03, LOT 10
IN THE TOWNSHIP OF CRANBURY, STATE OF NEW JERSEY**

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 "VERDE GROUP, LLC", collectively the "Developer" regarding its development located at Block 21.03,

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Lot 10 on the Cranbury Township Tax Map 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 05-19-087

A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT

WHEREAS, the Township wishes to hire the following firm ("Professionals") to provide professional services to the Township during the calendar year 2019 as follows:

- a). Parker McCay PA – Legal Services

WHEREAS, the costs for the services to be provided by the Professional is set forth in their respective proposal submitted to the Township, which is incorporated herein as if fully restated; and

WHEREAS, the Township has a need to acquire the foregoing services without a "Fair and Open Process" as defined by P.L. 2004, c. 19, the "Local Unit Pay-to-Play Law"; and

WHEREAS, the Professional has completed and filed with the Township Campaign Contributions Affidavits as required by N.J.S.A. 19:44A-20.2 *et seq.* certifying that they have not made any prohibited contributions to a candidate's committee or municipal committee representing the elected officials of the Township of Cranbury, along with Certifications Regarding Political Contributions as required by N.J.S.A. 19:44A-20.26; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.* authorizes the award of this contract without public bidding on the basis that this is a professional services agreement; and

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for this purpose and that the value of said Agreement will exceed \$91,500.00;

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

1. The Township of Cranbury hereby approves the following firm to provide professional services to the Township during the calendar year 2019:

- a). Parker McCay, PA – Legal Services

2. The Mayor and Clerk are hereby authorized and directed to enter into a Professional Services Agreement with the aforementioned Professionals pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.* This contract is being awarded without competitive bidding as a Professional Services Agreement under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons by law to practice a recognized profession and whose practice is regulated by law.

3. A copy of this Resolution, the pay-to-play forms, and the executed Agreement and insurance certificate shall be placed on file in the Office of the Township Clerk.

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4. A brief notice of this action shall be published in a newspaper of general circulation in the Township of Cranbury within ten (10) days of its passage.

WORK SESSION

- Brainerd Lake Dredging:
Thomas Decker, Van Cleef Engineering Associates, LLC, presented the "Proposal for Survey and Engineering Services" for the Brainerd Lake Dredging. He discussed each task listed within the proposal and the amount for each section of the proposal.

Mr. Ferrante questioned the plan for the location of the truck entrances and if the bid would include maintenance of the roadway. Mr. Mulligan asked that the annual fireworks be coordinated with to insure they are able to continue during the dredging project.

After general questions from the committee regarding the process and pricing, Mr. Decker expressed that he would keep the Township Committee members apprised throughout the process.

Mr. Mulligan opened the meeting to public comment for the Work Session item only:

- Susan Goetz – Ms. Goetz stated that she had been invited to participate on the project due to her background and experience. She added that the project timeline is designated by a biological window and is not flexible. Ms. Goetz thanked the members of the Township Committee for the lake dredging project as it is very important and needs to be maintained. Mr. Scott asked if the township can prepare for the future better with any preventative measures and Ms. Goetz suggested a maintenance plan for every five (5) years.
- Barbara Rogers – Mrs. Rogers questioned who was on subcommittee and asked if an Environmental Commission member was represented. She questioned the purpose of the project, the need for the project and what the use of the lake was to be after the project. Mrs. Rogers provided a contact at the New Jersey Department of Environmental Protection to Mr. Decker in regards to a sampling plan.

Mr. Scott questioned the timing of the bids and suggested the township inspect the bulk head while the lake water level is low.

Mr. Mulligan closed public comment for the Work Session.

The Township Committee agreed to proceed with the proposal presented by Mr. Decker. They also agreed with the additional \$10,000.00, if additional sampling becomes necessary. The total proposal price is therefore \$154,845.00.

Public Comment -

Mr. Mulligan opened the meeting to general public comment.

- Richard Kallan – Mr. Kallan read a note he prepared regarding his experience and opinion during his attendance at the Master Plan Subcommittee meeting he attended on April 25th. He also added the topic of his conversation with the various Monroe residents that were present.
- Barbara Rogers – First, she thanked Township Committee for including the Environmental Commission on the Master Plan Subcommittee reexamination process. Second, she stated a member of Environmental Commission, Jason Mildenberg, had been working on deer management as well. Ms. Marabello stated that the deer management plan would be enforced by a township ordinance and believed Mr. Mildenberg had recently been advised that the

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township was handling the matter. Ms. Marabello and Mr. Davidow added that the NJDEP is extremely helpful and are prepared to communicate with the public during the preparation of any future ordinances regarding deer management.

Mr. Mulligan closed the meeting to public comment.

Mr. Mulligan requested a motion to adjourn. On motion by Mr. Johnson, seconded by Mr. Ferrante and unanimously carried, the meeting adjourned at 8:47 p.m.

Debra A. Rubin, RMC
Municipal Clerk