

TOWNSHIP COMMITTEE MEETING  
December 19, 2016

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, Jay Taylor and Mayor Dan Mulligan. Mr. Dave Cook was absent. Also present were Denise Marabello, Township Administrator/Director of Finance; and Kathleen R. Cunningham, Municipal Clerk/Assistant Administrator. Mayor Mulligan 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 1, 2015 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 1, 2015.
- (3) Filed on December 1, 2015 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.

Resolution

Mr. Johnson read into record the following Resolution. On motion by Mr. Taylor, seconded by Mr. Johnson and unanimously carried, the Resolution was adopted by vote:

Ayes: (Goetz  
(Johnson  
(Taylor

Abstain: (Mulligan  
Absent: (Cook

Nays: (None

Cranbury Township Resolution # R 12-16-176

WHEREAS, Daniel P. Mulligan, III ("Dan"), having been a resident of Cranbury Township for ten (10) years, was elected to the Cranbury Township Committee on January 1, 2011 for a three-year term, was re-elected in 2013 and then again in 2016; and

WHEREAS, Dan was elected by his colleagues to serve as Mayor on January 4, 2016; and

WHEREAS, he has dedicated many hours of his own time serving the residents of Cranbury while maintaining a full-time job and a family; and

WHEREAS, Dan has been the lead in Cranbury Township joining the "social media world" as well as making sure the Township utilizes the access channel offered to the Township by its Cable TV carrier, taking the Municipal Clerk out of her "comfort zone"; and

WHEREAS, he is often seen at "Teddy's Luncheonette" speaking with residents on their concerns and issues; and

WHEREAS, the Township Committee under Dan's stewardship has met its Affordable Housing obligations, making Cranbury Township an example for other municipalities; and

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Cranbury Township Resolution # R 12-16-176  
(Continued)

WHEREAS, Dan and the Township Committee have been instrumental in the "Downtown Beautification Project" and the "Brainerd Lake Dam Project," resulting in a better Downtown District and a much-improved Brainerd Lake Dam and Bridge; and

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury that it hereby thanks Dan Mulligan for his service as Mayor during 2016 and conveys its appreciation for doing a great job!

Mayor Mulligan thanked the Committee for their confidence and assistance during his term. He stated he was very happy that affordable housing for the Township was resolved. The Committee congratulated Mayor Mulligan on a term well served.

Township Committee Minutes of December 12, 2016

On motion by Mr. Taylor, seconded by Ms. Goetz and unanimously carried, the Township Committee Minutes of December 12, 2016 were adopted.

Closed Session Minutes of December 12, 2016

On motion by Mr. Taylor, seconded by Ms. Goetz and unanimously carried, the Closed Session Minutes of December 12, 2016 were adopted.

Reports and Communications

--Members of Committee

--Mr. Taylor

Mr. Taylor requested a moment of silence to acknowledge the passing of Mr. Richard Zimmer, former Fire Company Chief. Mayor Mulligan stated Mr. Zimmer contributed much to the Township. Mr. Taylor stating Mr. Zimmer was a 47-year member holding various offices of the Fire Company, and also a Little League and hockey coach.

--Ms. Goetz

Ms. Goetz reported the holiday decorating is now complete and she again thanked all the volunteers for their help.

--Mr. Johnson

Mr. Johnson stated he had nothing to report.

Reports and Communications

--Mayor

Mayor Mulligan stated he would give a quick review of the year. He thanked Ms. Goetz and Mr. Taylor for taking on the holiday decorations for the Township, stating the results exceeded his expectations. Ms. Goetz stated they could not have done it without all the volunteers who came out in the cold to help.

Mayor Mulligan thanked the Committee for their flexibility and support over the year concerning affordable housing. He stated he and Mr. Cook were under many time constraints with the affordable housing court requirements. He acknowledged the completion of the Bridge and Dam Project and the Fountain at the Bridge. Mayor Mulligan reported Mr. Cook was not present; however, the permit was received to do the remediation at the Lake. He thanked Mr. Johnson for all of his work with the zoning changes for the Township.

--Subcommittees

There were no reports from Subcommittees.

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Reports and Communications (cont'd.)

--Department Heads

There were no reports from Department Heads.

Follow-up Items

There were no follow-up items for this evening. Mayor Mulligan reported there will be a Work Session at the January 9<sup>th</sup> meeting for the Engineer to discuss the issues at the Brickyard Construction site. Mr. Robert Dillon, Hightstown-Cranbury Station Road, suggested the Township have no littering signs with fines posted. Mayor Mulligan recommended the Township look at having signs around the Township prohibiting littering.

Agenda Additions/Changes

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

Public Comment (For Items on the Agenda)

Mayor Mulligan opened the meeting to public comment for items on the Agenda. Hearing no comments or questions, Mayor Mulligan closed the public comment portion of the meeting.

Resolutions

Consent Agenda

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

Ayes: (Goetz  
(Johnson  
(Taylor  
(Mulligan

Abstain: (None  
Absent: (Cook

Nays: (None

Cranbury Township Resolution # R 12-16-177

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-12-16-178

WHEREAS, SHERALYN WADE of 116 North Main Street made double sewer payments in the 3<sup>rd</sup> quarter of 2016; and

WHEREAS, there now exists a credit balance on the customer's sewer account in the amount of \$22.29; and

WHEREAS, the property owner has requested a refund of the credit balance;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury, that the sewer credit be awarded to SHERALYN WADE in the amount of \$22.29.

TOWNSHIP COMMITTEE MEETING  
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Work Session

a). Cranbury Library and Cranbury Township Memo of Understanding Regarding the Proposed Future Library.

The Township Committee discussed a Memo of Understanding regarding the proposed future Library. Mayor Mulligan explained the Township's residents will pay for the multi-use parking lot at the end of Park Place. He stated before the Township will build the parking lot, the Library must raise the money for the Library. He stated the Library is looking to build an approximately 11,000 square foot Library. He stated the Committee's expectation is the money will be collected (not pledged) and in the bank to fund the construction of the Library, as well as the materials necessary to operate a fully-functioning Library. He stated the Committee is looking for the Library to also have a 5% contingency in place in the event there are any cost overruns during the construction. Mayor Mulligan applauded the Foundation for raising the funding for the Library and stated the other members of the Committee are supporters as well. He stated the Foundation currently has approximately \$1.9 million cash on hand. He stated he has no concept of what the building will cost, but knows the goal is to raise \$3.2 million. He stated once bids are received, there will be a better idea of the costs, and his hope is the building could cost far less than that.

Mr. Johnson stated the Project will be moving forward after having had to make some changes to the site plan. Ms. Goetz agreed and stated she would like to have a discussion concerning the funding to better understand what is on hand and what still needs to be funded. She stated that conversation does not change the Resolution.

Mr. Taylor wanted to clarify that the 5% is for contingency and overrides combined. He also wanted to clarify that this Memorandum of Understanding is to get the Township to the point of groundbreaking. Mr. Taylor thanked the Library for their hard work, and Mayor Mulligan stated it is a great Project.

Mr. Michael Ferrante, North Main Street and a member of the Library Board of Trustees, stated the \$1.9 million in the bank has increased by \$300,000 in the last month. He stated the Foundation has been assessing the pledges, and if a pledge does not seem feasible, the pledge is backed out. Mr. Ferrante stated the number they are looking at is \$2.75 million, which covers the cost of constructing the building and the cost of the architect (\$160,000, which has already been paid out). Mr. Ferrante stated approximately \$300,000 was for furniture, and he stated they just were informed on Friday that Bristol Meyer Squibb will be donating as many tables and chairs as the Library wants to furnish the Library. He stated because the Foundation is nonprofit, it is permitted to receive donations. He stated they have the stacks for all of the collections, and the tables and chairs to furnish the Library. He stated over time, they can do additional fundraising to obtain additional furniture.

Mr. Ferrante stated they will not know the actual numbers until they go out to bid; however, Mr. Mark Berkowsky has been working pro bono with the Foundation to give his best estimate, based on the drawings, as to what the new Library may cost. Mr. Ferrante ran through the cost estimates for the building, including HVAC, electrical, plumbing, carpeting, etc. He stated their target number is \$2.77 million. Mr. Ferrante explained other items included in the plan that are options or alternates. Ms. Goetz asked if the School or Library owns the furniture currently in the Library. Ms. Marilyn Mullen, Director of the Cranbury Public Library, reported a 2008 Agreement with the School listed who owned what furniture/shelving. Ms. Mullen stated most of the furniture in the Library would go to the new Library. Mr. Ferrante stated Ms. Lisa Walsh has agreed to do a mural pro bono for the new Library. He stated Mr. Berkowsky informed them that \$2.61 million would cover everything necessary for the building.

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Work Session

a). Cranbury Library and Cranbury Township Memo of Understanding Regarding the Proposed Future Library (cont'd.)

Mr. Ferrante further explained the costs, outlays, expected expenses, cash on hand, and expected pledges. He stated the gap is currently approximately \$500,000; however, with the pledges, the gap reduces to \$217,000.

Mr. Taylor inquired how the original \$3.2 million number was determined, and Ms. Marilyn Mullen stated the number was proposed years ago, with monies added for 2015/2016 numbers. He stated he was fine with changing the number as long as there was money in the bank to cover the costs. Mr. Ferrante stated the architecture drawings are very detailed, and those drawings are what the construction companies will be bidding on.

Mr. Ferrante reported the Resolution states in one section it states the Library will be "approximately 11,000 square feet," and in another states "less than 11,000 square feet." He clarified the actual amount is 11,600 square feet.

Mayor Mulligan stated Mr. Ferrante's explanation was helpful to the Committee, stating the Library has come up with a tight plan. He recommended the Library give regular updates to the Township Committee. Ms. Mullen stated the Certificates of Deposits do not show the interest.

Ms. Goetz inquired when the Foundation would be going to bid. Ms. Mullen stated now that they know where the parking lot will be, she can sign with the engineering company, Maser. They will be able to go out to bid, with bids coming back within 30 days. At that point, there should be a firm number. The Foundation would then have 60 days to review the bids. Ms. Marabello suggested having the bids reviewed before accepting. Ms. Marabello stated Ms. Erin Lysy is the Township's Qualified Purchasing Agent, and suggested the Library contact her for assistance.

Mr. Taylor inquired if the Library has to use prevailing wage, and it was confirmed prevailing wage must be paid.

Mayor Mulligan requested the Township Committee be updated periodically, and suggested the Library avail itself of the Township's assistance. He stated he is happy the information is memorialized.

Mayor Mulligan asked if there was any public comment on the financials of the Project. Mr. Bill Kanawyer, Brainerd Drive, thanked the Township Committee for its support. He stated he keeps hearing about cost overruns, and asked if the Committee had any specific concerns. Mr. Taylor stated there is always concern about the rising cost of materials, which can impact a project's budget. Mayor Mulligan stated the Committee asked what the standard contingency is in the industry, and 5% contingency should more than cover any additional costs. Mr. Kanawyer stated he believes residents will come forth to help cover any costs.

Mr. Richard Kallan, Wynnewood Drive, stated if the estimate to build the Library exceeds the available cash, the bid cannot be awarded. He stated if additional time is needed to raise more funding, then would the Library would have to go out to bid again? Ms. Kirstie Venanzi, President of the Cranbury Library Board of Trustees, reported the Library's design and costs have been very well vetted. She stated the number has been checked two (2) or three (3) times, and they are continuing to raise funds.

There were no additional questions or comments and Mayor Mulligan closed the public comment portion of the discussion. He corrected his original statement of \$1.9 million to \$2.1 million since additional funds have been received.

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Resolution

Mayor Mulligan requested a motion to adopt the following Resolution. Ms. Goetz stated the following changes concerning square footage, as previously discussed, are to be included. On a motion by Ms. Goetz, seconded by Mr. Johnson and unanimously carried, the following Resolution was adopted by vote:

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

Nays: (None

Cranbury Township Resolution # R 12-16-179

A RESOLUTION EXPRESSING AMENDED CONDITIONAL SUPPORT FOR  
A NEW MUNICIPAL PARKING LOT AT THE WEST END OF PARK PLACE

WHEREAS, there is a continuing need for a new municipal parking lot in downtown Cranbury; and

WHEREAS, on May 9, 2016, the Township Committee passed Resolution #R 05-16-088 which gave conditional support for a new municipal parking at the west end of Park Place; and

WHEREAS, the Master Plan states that:

- "It is vital to Cranbury's Village Center that sufficient parking be available for retail, restaurant, office, residential and other uses"; and
- "Potential sources of additional parking, to the extent it is needed, include providing a public parking lot of appropriate size near the Village Center"; and
- "Cranbury Township could consider construction of a parking lot to the west end of Park Place"; and

WHEREAS, the Master Plan recognizes the need to have parking spaces in downtown Cranbury that can accommodate a number of different uses, and notes that "parking in Cranbury's Village Center is shared among various uses-including retail, restaurant, professional office and residential uses," and "there is a sharing and synergy of parking usage that allows the parking supply to satisfy many uses"; and

WHEREAS, the Cranbury Library Board of Trustees would like to move the Library from its existing location at 23 North Main Street, in the Cranbury School Building, to a new building; and

WHEREAS, the new building including furnishings, equipment and materials necessary to operate a fully functioning library would be approximately 11,000 square feet in size and cost approximately \$3,200,000; and

WHEREAS, the preferred location for the new building is on Park Place, in the municipal complex, on property owned by Cranbury Township (Block 23, Lot 14.03; and

WHEREAS, the Master Plan supports a new library building at that location; and

WHEREAS, the Cranbury Public Library Foundation, an independent, non-profit corporation that supports fundraising for the Library, has instituted a capital campaign to raise funds for the new building, and as of November 15, 2016 had raised \$1,899,441 toward its goal of \$3,200,000; and

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(Continued)

WHEREAS, a new parking lot built at the west end of Park Place could serve the needs of the Village Center for additional parking as well as provide for the needs of the proposed Library; and

WHEREAS, the Township Committee is willing to provide funding for a parking lot in this location (see the attached drawing) if the Library Board of Trustees and the Library Foundation are able to meet certain amended fundraising and financing benchmarks which shall be substantiated with bank statements.

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

1. It is the amended intent of the Township Committee, that
  - (a) if the Cranbury Public Library Foundation is able to raise its goals of \$3,200,000 (or such other amount certified by the Library Board of Trustees as necessary to construct a new building that is less than 11,000 square feet in size), furnish, equip and provide materials necessary to operate a fully functioning library including a five percent (5% ) contingency, and
  - (b) if the Cranbury Public Library Foundation is able to prove to the Township Committee that it has cash on hand to cover construction, furnishings, equipment and material costs necessary to operate a fully functioning library plus a contingency amount of five percent (5%), and
  - (c) if the Library Board of Trustees shall redesign the drainage bio-retention basin as agreed with the Township Committee and move the parking lot by twenty (20) feet to the north as requested by the Township Engineer closer to business parking; and
  - (d) if the Library Board of Trustees is able to prove to the satisfaction of the Township Committee that it will be able to operate a new building within the limits of its annual municipal appropriation, then
  - (e) the Township will provide up to \$475,000 for site plan preparation only after proof of payment has been provided to the Township for all related expenditures, which amended site plan shall include a municipal parking lot that has been moved twenty (20) feet to the north, and to that end the Township Committee will put a line item in their 2017 Capital Budget.
2. It is further the intent of the Township Committee, that if such funds are raised by the Cranbury Public Library Foundation, the public lands located at Block 23, Lot 14.03 will continue to be available for the new Library building.
3. The Township Committee understands that operation of any new Library building is the obligation of the Library Board of Trustees, and that while the municipality must provide the annual municipal appropriation required by law (N.J.S. 40:54-8 and N.J.A.C. 15:21-12), all other funds required for the operation of the Library are the obligation of the Board.
4. Any change orders on this project are the sole responsibility of the Library Board of Trustees.

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Cranbury Township Resolution # R 12-16-179  
(Continued)

5. This Resolution is a statement of the current consensus of the Township Committee and shall be subject to review and reconsideration by the Township Committee at its first meeting in January after reorganization.

Reports from Township Staff and Professionals

--Administrator's Report

Ms. Marabello stated she had nothing to report.

--Assistant Administrator

Ms. Cunningham stated she had nothing to report.

Reports from Township Boards and Commissions

There were no reports from Township Boards and Commissions.

Public Comment

Mayor Mulligan opened the meeting to public comment.

Mr. Robert Dillon, Hightstown-Cranbury Station Road, reported truck traffic has improved greatly. He stated the trucks that were on the road at 4 a.m. were carrying asphalt, and he realizes now they were trying to get the asphalt down before the cold weather. He stated the amount of traffic will increase again the spring with the concrete trucks. Mr. Dillon reported steel trucks are now going down the road. He stated the secondary roadway should not be used as a major artery trucks entering and exiting an industrial complex. Mayor Mulligan stated the ideal scenario would be access through Alfieri's property over to Liberty Way. There was additional discussion about access to the new warehouse sites. Mayor Mulligan stated unfortunately Liberty Way Bridge will be a huge expense, and the Township will need assistance from the State or Federal Government. Ms. Goetz stated the value of the warehouse properties will be greater if there are better access roads. Mr. Dillon stated when the speed limit and road conditions of Hightstown-Cranbury Station Road should have been evaluated by a Traffic Engineer. There was discussion about speed limits in the Township. Mr. Dillon stated years ago the homes were built close to the road years and it is dangerous to have high speeds. Ms. Marabello explained the Township Engineer must certify every speed limit in the Township She stated Mr. Tanner, who is certified, inspected the roadway for the speed. Mr. Dillon stated the road does not have a deceleration lane or a left turning lane so the traffic backs up. Mayor Mulligan stated there will be further discussion at the January 9<sup>th</sup> Township Committee Meeting, and the Township Engineer is the professional who addresses the speed limit. Mayor Mulligan urged Mr. Dillon to call the Police for traffic issues and noise concerns.

Hearing no additional comments, Mayor Mulligan closed the public portion of the meeting.

Mayor's Notes

There were no Mayor's notes this evening

Township Committee Members' Notes

There were no additional Township Committee Members' Notes.



TOWNSHIP COMMITTEE MEETING  
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Resolution

At 8:15 p.m. Mayor Mulligan requested a motion for the Committee to go into Closed Session. On a motion by Mr. Taylor, seconded by Mr. Johnson and unanimously carried, the following Resolution was adopted by vote:

Ayes: (Goetz  
(Johnson  
(Taylor  
(Mulligan

Abstain: (None  
Absent: (Cook

Nays: (None

Cranbury Township Resolution # R 12-16-180

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 (7)/Pending or anticipated litigation and matters falling within the attorney-client privilege."

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 and unanimously carried, the meeting returned to Open Session at 9:00 p.m.

Mayor Mulligan requested a motion to adjourn. On motion by Ms. Goetz, seconded by Mr. Johnson and unanimously carried, the meeting adjourned at 9:02 p.m.

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Kathleen R. Cunningham  
Municipal Clerk