

TOWNSHIP COMMITTEE MEETING
January 12, 2015

The regular meeting of the Township Committee 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, and Mayor Jay Taylor. Mr. David Cook was absent. Also present were Denise Marabello, Township Administrator/Director of Finance; and Kathleen Cunningham, Municipal Clerk/Assistant Administrator. Mayor Taylor 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 2, 2014 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 2, 2014.
- (3) Filed on December 2, 2014 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 Re-Organization Minutes of January 5, 2015

On motion by Mr. Johnson, seconded by Ms. Goetz and unanimously carried (with Mr. Cook being absent and Mr. Mulligan abstaining due to absence), the Township Committee Re-Organization Minutes of January 5, 2015 were adopted.

Reports and Communications
--Mayor Taylor

Mayor Taylor stated Ms. Goetz ran excellent meetings as Mayor last year and stated his goal is to have short meetings and joked he would limit public comments to three (3) minutes.

Mayor Taylor appointed Ms. Linda Scott for a one-year term as the Township's representative to the Middlesex County Solid Waste Advisory Council. For Zoning Board appointments, Mayor Taylor reported Mr. Sean Deverin will become the replacement for Tom Patterson and thus become a regular member with a term expiration date of December 31, 2016. Mr. Rob Diamond will become the 1st Alternate (replacing Sean Deverin) with a term expiration date of December 31, 2016. Mr. Fran McGovern will become the 2nd Alternate (replacing Rob Diamond) with a term expiration of December 31, 2015.

Mayor Taylor reported Barbara Rogers resigned from the Parks Planning Commission. Ms. Goetz stated that position is to be held by a representative of the Environmental Commission.

Mayor Taylor reported he attended several meetings. For the Business and Professional Association, Mayor Taylor reported the "Truckathon" will be held on July 18th. The Association is looking to hold events on Friday evenings from June through August. Mayor Taylor stated the Association would like to do ribbon cuttings for new businesses that open in the Township, and he agreed to have a proclamation written to welcome the new business. Cranbury Station Gallery has offered to provide the framing at no cost. The Association will be having a New Year's networking event on January 14th.

Mayor Taylor reported Ms. Bobbie Marlowe will continue as Chair of the HPC, and Mr. David Szabo will be Vice Chair. Mayor Taylor reported he met with Ms. Kirstie Venanzi, President of the Library Board and

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Reports and Communications

Mayor Taylor (cont'd.)

also the Board's Treasurer, and stated the Library is concerned over the decrease in equalized value which represents a cut of \$50,000 in income. He stated the Library will need to look at changes that may impact services.

Mayor Taylor reported he attended the Municipal Alliance meeting. He stated they are in need of members. The Alliance was unable to appoint a chairperson as there were no volunteers for the position. Mayor Taylor stated there is some concern over the change in grant methodology of some programs, such as the Drug Free Fair, could be jeopardized.

Mayor Taylor reported the Parks Planning Commission did not have its re-organization meeting due to a lack of quorum. He reported members are also needed for the Commission.

For the Planning Board, Mayor Taylor reported Mr. Allan Kehrt is the Chair, and Mr. Tom Harvey is the Vice Chair. He stated the Planning Board has started to proceed with the review of the redevelopment for the properties at the corner of South Main and Old Trenton Road. Mayor Taylor reported Ms. Marilee Meacock is Chair and Mr. Mike Dulin is Vice Chair of the Zoning Board. Mr. Sean Deverin will be the representative to the DRC.

Mayor Taylor reported the League of Municipalities will be celebrating its 100th anniversary and will be honoring retiring Director Bill Dressel.

He reported COAH arguments were heard by the NJ Supreme Court on January 6th and summarized the following:

Fair Share Housing and NJ Builders Association went to the Supreme Court to declare that municipalities are no longer protected from litigation by the COAH administrative process.

1. Litigation against municipalities proceed on a case-by-case basis;
2. The Court give "general guidance" to the lower courts by designating certain judges to handle the cases regionally;
3. Consolidate the builders' remedy lawsuits into regional proceedings;
4. The Court direct the lower courts to abide by the previous COAH methodology;
5. The Courts should proceed with dispatch.

The League of Municipalities responded to the suit:

1. The Court should afford COAH the opportunity to complete the task it started and either adopt the regulation as proposed, simultaneously propose any amendments or develop new regulations;
2. In no event, should municipalities that have filed with the agency be stripped of the protection from builder's remedy litigation; and
3. If the Court determines that this issue must be resolved outside the agency, it should do so surgically, beginning with the body of regulations developed by COAH, and then return enforcement to the agency.
4. If the Court does allow for court involvement, it should first allow municipalities to seek immunity from a trial court.

Mayor Taylor reported New Jersey American Water proposed to the Board of Public Utilities an increase rate of 9.96% (17 cents a day for the average customer). He stated the last increased was in May of 2012.

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Reports and Communications
Mayor Taylor (cont'd.)

Mayor Taylor reported the Cranbury Press has agreed to run a monthly Mayor's column, which will appear on the last Friday of each month. He stated "Coffee with the Mayor" will be on January 24th from 7:00 to 9:00 a.m. at Teddy's. Mayor Taylor reported the first Budget Meeting will be held on February 7th at 8 a.m.

Reports and Communications
--Township Committee

Mr. Mulligan

Mr. Mulligan reported he attended the Cranbury Housing Associates Re-Org meeting. He stated CHA's finances are in good shape. He stated there is a full allotment of Board members; however, they are looking for additional members to join and help. He stated CHA is concerned about the issues with affordable housing and the courts, and stated Mr. Mark Berkowsky, President of CHA, would like to come do a Work Session with the Committee to provide a COAH update in late February or early March.

Ms. Goetz

Ms. Goetz reported she and Mr. Johnson attended a Planning Board meeting and authorized the Planner to begin the study for the South Main Street Project.

Mr. Johnson

Mr. Johnson reported he attended a Zoning Subcommittee Meeting and the Planning Board Re-Organization Meeting.

Reports and Communications
-- Subcommittees

There were no Subcommittee reports.

Agenda Additions/Changes

Ms. Cunningham reported the addition of Cranbury Township Resolution # R 01-15-020 to make the re-appointment of Michael Dulin to the Zoning Board for a term ending December 31, 2018.. It was erroneously omitted from last week's appointments.

Resolution

Mr. Taylor stated Ms. Patricia Scott could not be present at the meeting. He read Cranbury Township Resolution # R 01-15-016. On motion by Mr. Johnson seconded by Mr. Mulligan, and unanimously carried, the following Resolution was passed by vote:

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

Nays: (None

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Cranbury Township Resolution # R 01-15-016

WHEREAS, Patricia Scott ("Pat") moved to Cranbury in 1953; and

WHEREAS, Pat also served on the Township Committee from 1975 until 1986; elected by her colleagues to serve as Mayor from 1977-1980; and

WHEREAS, Pat served as the Secretary for the Historic Preservation Advisory Committee ("HPAC" and now known as the "Historic Preservation Commission") from 1990 until 1997, often lending her knowledge and suggestions to make sure the "Village Area" maintained its charm, as it is to this day; and

WHEREAS, under Pat's tenure, sewer service was made available for the first time to residents and businesses in 1979; and

WHEREAS, her dedication and many years of commitment to the Township is greatly appreciated; and

WHEREAS, Pat has now decided to retire from all Boards, Committees and/or Commissions and take life easy;

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Cranbury hereby thanks Patricia ("Pat") Scott for her steadfast commitment to the Township of Cranbury throughout the years; helping make it the great community it is today; and

BE IT FURTHER RESOLVED, a duly authenticated copy of this resolution is presented to Pat Scott with best wishes for an enjoyable and healthy retirement!

Resolution

A motion was made by Mr. Johnson, seconded by Ms. Goetz and unanimously carried (with Mr. Cook being absent), the following Resolution was passed by vote:

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

Nays: (None

Cranbury Township Resolution # R 01-15-020

WHEREAS, it is necessary to make the following appointment,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the following individual is appointed to the position and term noted effective January 5, 2015:

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Cranbury Township Resolution # R 01-15-020
(Continued)

TOWNSHIP COMMITTEE APPOINTMENTS

NAME	APPOINTMENT	TERM ENDING
Michael Dulin, Member	Zoning Board	12/31/18

Resolutions
Consent Agenda

Mayor Taylor asked the Township Committee if there were any questions or comments on the Consent Agenda. There were no questions, and the Mayor asked for a motion to adopt. A motion was made by Mr. Johnson, seconded by Ms. Goetz and unanimously carried (with Mr. Cook being absent), the following Resolutions were passed by vote:

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

Cranbury Township Resolution # R 01-15-017

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

Cranbury Township Resolution # R 01-15-018

TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY

A RESOLUTION AWARDING PROFESSIONAL SERVICES AGREEMENTS

WHEREAS, the Township wishes to hire the following firms (collectively "Professionals") to provide professional services to the Township during the calendar year 2013 as follows:

- a). Steven P. Goodell, Esquire & Herbert, Van Ness, Cayci and Goodell
- b). Trishka Cecil, Esquire & Mason, Griffin & Pierson –for COAH legal services
- c). Mary Beth Lonergan & Clarke Caton Hintz for COAH-related matters
- d). Edward McManimon & McManimon & Scotland LLC – Bond Counsel
- e). Marc Ruderman & Ruderman & Glickman – Labor Counsel
- f). John Maley, C.P.A. – Township Auditor
- g). Ronald Ghrist, C.P.A. – Financial Consultant
- h). William C. Tanner & Van Cleef Engineering
- i). Harry Haushlater, Esquire – Tax Assessment Appeal Attorney
- j). Richard Preiss PT & Phillips Preiss Grygiel LLC – Township Planner
- k). A. Andrew Feranda & Shropshire Associates - Traffic Consultant

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

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Cranbury Township Resolution # R 01-15-018
(Continued)

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 Professionals have 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 these contracts without public bidding on the basis that they are professional services agreements; and

WHEREAS, the Cranbury Township Chief Financial Officer has certified that sufficient funds are available for these purposes and that the value of each Agreement will exceed \$17,500.00;

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 firms to provide professional services to the Township during the calendar year 2015:

- a). Steven P. Goodell, Esquire & Herbert, Van Ness, Cayci and Goodell
- b). Trishka Cecil, Esquire & Mason, Griffin & Pierson for COAH legal services
- c). Mary Beth Lonergan & Clarke Caton Hintz – for COAH-related matters
- d). Edward McManimon & McManimon & Scotland LLC – Bond Counsel
- e). Marc Ruderman & Ruderman & Glickman – Labor Counsel
- f). John Maley, C.P.A. – Township Auditor
- g). Ronald Ghrist, C.P.A. – Financial Consultant
- h). William C. Tanner & Van Cleef Engineering
- i). Harry Haushlater, Esquire, Tax Assessment Appeal Attorney
- j). Richard Preiss PT & Phillips Preiss Grygiel LLC – Township Planner
- k). A. Andrew Feranda & Shropshire Associates - Traffic Consultant

2. The Mayor and Clerk are hereby authorized and directed to enter into Professional Services Agreements 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.* These contracts are being awarded without competitive bidding as Professional Services Agreements under the provisions of the aforementioned law because a service will be rendered or performed by a person or persons by law to practice recognized professions and whose practice is regulated by law.

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

5. 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.

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Cranbury Township Resolution # R 01-15-019

REJECTING BIDS FOR MAINTENANCE OF THE TOWNSHIP
SANITARY SEWER SYSTEM

WHEREAS, at the November 25, 2014 bid opening, two (2) bids were received for the Maintenance of the Township Sanitary Sewer System from National Water Main Cleaning, Kearney, NJ and Rapid Pump and Meter Service, Paterson, NJ and;

WHEREAS, NYSSA 40A:11-13.2(d) allows the governing body to reject all bids when the contracting unit wants to substantially revise the specifications for the goods or services (by facilitating a Shared Services Agreement);

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Cranbury Township, County of Middlesex, State of New Jersey, that the bids for the Maintenance of the Township Sanitary Sewer System submitted by National Water Main Cleaning, Kearney, NJ and Rapid Pump and Meter Service, Paterson, NJ are hereby rejected pursuant to NYSSA 40A:11-13.2 (d) because the Committee has determined to enter into a Shared Services Agreement for the project of Maintenance of the Township Sanitary Sewer System.

Resolution

Reports from Township Boards and Commissions

There were no reports from Township Boards and Commissions.

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 has nothing to report.

Work Session

a). Discussion of Deputy Mayor Appointment

The Township Committee discussed the appointment of Deputy Mayor. On a nomination by Mr. Johnson, seconded by Ms. Goetz, Mr. Mulligan was appointed Deputy Mayor by vote:

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

Nays: (None

b). Discussion of Township Committee Liaisons

The Township Committee discussed the liaison appointments for 2015. Mr. Taylor stated he gave the liaisons a lot of thought and discussed the liaisons with the Committee members. The following are the 2015 liaisons:

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Work Session (Continued)

b). Discussion of Township Committee Liaisons

Mayor Taylor (Development Review Committee, OEM, Police, First Aid, League of Municipalities, and Building and Grounds); Mr. Mulligan (Public Works, Fire, Board of Education and Cranbury Housing Associates); Mr. Johnson (Planning Board Seat 2, Shade Tree, Board of Health, Environmental Commission, and Zoning Board); Mr. Cook (Business and Professional Association, Scouts, Municipal Alliance, Recreation, Parks, and Library); Ms. Goetz (Planning Board Seat 1, Engineer, HPC and Construction).

c). Discussion of Township Committee Subcommittees

The Township Committee discussed the various Subcommittee appointments for 2015.

Downtown Beautification	Mayor Taylor and Ms. Goetz
Master Plan/Ordinances	Mr. Johnson and Mr. Cook
Personnel	Mayor Taylor and Ms. Goetz
Sewer	Mayor Taylor and Mr. Mulligan
COAH	Mr. Mulligan and Mr. Cook
South Main Street	Mr. Johnson and Mr. Kehrt
Open Space	Mr. Cook

Reports from Township Boards and Commissions

There were no reports from Township Boards and Commissions.

Public Comment

The Mayor opened the meeting to public questions and comments. Ms. Betty Conover, North Main Street, stated she loves Cranbury and thinks the Town looks great. However, she inquired what is happening with three (3) "eyesore" properties. She mentioned the Cutinelli, Hagerty and Cheney properties that are in disrepair. She stated the properties are "gateways" to the Town and the conditions of the properties should be addressed. Mayor Taylor explained the Cheney/Hagerty properties are under contract and the redevelopment process is being looked at now. There being no further comments, the Mayor closed the public portion of the meeting.

Mayor's Notes

Mayor Taylor stated he had no additional comments for the Mayor's Notes. Mayor Taylor requested a motion to adjourn. On a motion by Mr. Johnson, seconded by Ms. Goetz and unanimously carried (with Mr. Cook being absent), the meeting adjourned at 7:28 p.m.

Kathleen R. Cunningham, RMC
Municipal Clerk