

TOWNSHIP COMMITTEE MEETING
January 28, 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, Matt Scott and Mayor James Taylor. Dan Mulligan was absent. Also present were Denise Marabello, Township Administrator/CFO and Debra Rubin, Municipal Clerk. Mayor Taylor 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.

--Township Committee Regular Meeting Minutes of January 14, 2019

The Township Committee Regular Meeting Minutes of January 14, 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
(Scott
(Taylor

Abstain:
Absent: (Mulligan

Nays: (None

the Township Committee Regular Meeting Minutes of January 14, 2019 were adopted.

--Township Committee Closed Session Meeting Minutes of January 14, 2019

The Township Committee Closed Session Meeting Minutes of January 14, 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
(Scott
(Taylor

Abstain:
Absent: (Mulligan

Nays: (None

the Township Committee Closed Session Meeting Minutes of January 14, 2019 were adopted.

--Reports and Communications

--Members of Committee

--Mr. Scott

Mr. Scott reported he attended the Traffic Subcommittee meeting on Friday, January 25th. He suggested adding an ad hoc position for resident input. After discussion amongst members it was agreed

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upon that if a resident has an issue to discuss they may attend the first 30 minutes of the meeting. No appointments of residents to the subcommittee.

--Mr. Ferrante

Mr. Ferrante reported on Boy Scout Troop 52 having over half of its scouts as "Life Scouts", which is the step before Eagle Scout.

Mr. Ferrante advised that he attended the Municipal Alliance meeting, Board of Health and Shade Tree Commission. He read a paragraph from a letter drafted from the Township Committee to Senator Linda Greenstein regarding the opposition of "Vegetation Management Response Act".

Mr. Ferrante reminded the public that at the February 11th Township Committee he will be presenting on "De-mystifying Municipal Government". He requested time at that meeting for additional questions from the residents, if necessary. Mayor Taylor agreed to allot ten minutes for the presentation questions and any residents with additional questions to stay after the meeting for time to receive answers.

He also met with the Communications Subcommittee on January 25th. Suggestions for future were opening township Twitter account, an insert newsletter to be sent twice a year and a future in sustainable electronic presence.

--Mr. Johnson

Mr. Johnson attended the School Board meeting, Personnel subcommittee meeting and Development Review Committee. He added that Cranbury representative to the school board, Evelyn Spann, was appointed to the Princeton school committee. She is the first Cranbury representative on the Princeton committee.

--Mayor

--Mayor Taylor

Mayor Taylor reported that he attended the Historic Preservation Committee, Environmental Commission, Recreation Board and Municipal Alliance meetings.

On January 26th the Chief of Police and the Mayor attended the first "Coffee with Mayor and Chief of Police" which was well received.

He discussed upcoming meetings for the Master Plan subcommittee and the township budget. He added that he would be meeting with the Cranbury Press on January 30th to discuss how to rejuvenate resident interest in printed articles.

Mayor Taylor reported that the township received 311 OPRA's (Open Public Records Act) in 2018 and 33 for year to date in 2019. He explained the process on receipt and how many are not charged a fee due to the use of electronic medium. He presented one recent OPRA along with the large amount of time and supplies that were utilized and no fee could be charged. It is a big issue for the township.

--Subcommittees

There were no reports from Subcommittees.

--Departments Heads --

Michael Kervan, Chief, Fire Department, gave the 2018 call report along with 2019 year to date for both the Fire Department and the First Aid Squad. He discussed the arrival time for calls is still under the State average.

Bonnie Larson, Chairperson Cable Commission -- Advised that there will be negotiations with Comcast this year. A survey was prepared for residents to complete that would be used in the

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negotiations. The survey is in the township newsletter for residents to complete and return. Mr. Ferrante suggested other means for the survey to be completed, such as, using Survey Monkey.

--Follow Up Items – Mayor Taylor appointed Mona Bhatia to Environmental Commission, Alternate #1 with term expiration of December 31, 2020. Mayor Taylor also appointed Abigail Gordon to the Recreation Board, unexpired term of 2nd Alternate with term expiration of December 31, 2019.

--Agenda Additions/Changes

Ms. Rubin advised that public comment would be moved before closed session at the end of the meeting for items not on the agenda.

--Boards and Commissions – Vacancies

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

- Clock Winding Committee (1) - Member
- Municipal Alliance (1) – 2nd Alternate
- Parks Commission – (3) – Member, 1st Alternate and 2nd Alternate

Ordinance
First Reading

**TOWNSHIP OF CRANBURY
ORDINANCE NO. 01-19-04
CALENDAR YEAR 2019
AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the governing body of the Township of Cranbury in the County of Middlesex finds it advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the governing body hereby determines that a 1% increase in the budget for said year, amounting to \$73,922.69 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the governing body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the governing body of the Township of Cranbury, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Township of Cranbury shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$258,729.43, and that the CY 2019 municipal budget for the Township of Cranbury be approved and adopted in accordance with this ordinance; and,

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BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

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

Public hearing to be held on February 11, 2019

Ordinance
Second Reading

TOWNSHIP OF CRANBURY
ORDINANCE NO. # 01-19-01

A CAPITAL ORDINANCE OF THE TOWNSHIP OF CRANBURY AUTHORIZING UPGRADES TO THE K HOV PUMP STATION BY THE TOWNSHIP OF CRANBURY, APPROPRIATING \$144,000 FROM HIGHPOINT'S TRUST FUND AND REAPPROPRIATING \$204,650 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN VARIOUS CAPITAL ORDINANCE TO COVER THE COST THEREOF.

On motion by Mr. Ferrante, seconded by Mr. Johnson, the Ordinance was passed and adopted by vote:

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

TOWNSHIP OF CRANBURY
ORDINANCE NO. 01-19-02

AN ORDINANCE OF THE TOWNSHIP OF CRANBURY REGULATING THE PLACEMENT OF DUMPSTERS AND DEBRIS ON PUBLIC ROADWAYS WITHIN THE TOWNSHIP

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

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

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Richard Kallan, resident, questioned if this ordinance would cover an oversized stump? He also asked why residents need to make complaint when I should be Department of Public Works writing violations.

Resolutions

Consent Agenda

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

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

Cranbury Township Resolution #R 01-19-036

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 01-19-037

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment
Decisions Under Title VII of the Civil Rights Act of 1964"**

FORM OF RESOLUTION

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Cranbury, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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(Resolutions
Consent Agenda Continued)

**Cranbury Township Resolution # R 01-19-038
RESOLUTION AWARDDING FARM SERVICES AGREEMENT
FOR THE FROSZTEGA AGRICULTURAL LOT**

WHEREAS, the Township of Cranbury in the County of Middlesex, State of New Jersey accepted the dedication of a \pm 31.25-acre parcel designated as Block 25, Lot 60.01 on the Cranbury Township Tax Map and known as the "Frosztega Farm" ("the Property"); and

WHEREAS, the Township seeks to procure services that will enable the Township to maintain the farmed portions of this property as productive agricultural land; and

WHEREAS, Michael Protinick of Protinick Farms has farmed the property in the past and the Township seeks to retain his farming services; and

WHEREAS, the Township seeks to compensate Mr. Protinick for his services in kind by allowing him to retain any profit realized from the sale of his crops, the value of which will not exceed \$36,000.00 per year; and

WHEREAS, because this contract amount does not exceed the bid threshold, this contract award is exempt from public bidding pursuant to N.J.S.A. 40A:11-3a. and 40A:11-6.1a; and

WHEREAS, the Township has not solicited other quotes for the provision of these services because it was not practicable to do so;

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

1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with Michael Protinick of Protinick Farms for the provision of farming services to the Township at Block 25, Lot 60.01 on the Cranbury Township Tax Map and known as the "Frosztega Farm" the form and substance of which shall have previously been approved by the Township Attorney.
2. The contract term shall terminate on February 28, 2023.
3. Mr. Protinick shall be paid for services in kind by allowing him to retain any profit realized from the sale of his crops, the value of which will not exceed \$36,000.00 per year.
4. The Township Administrator, Clerk, Attorney and other appropriate staff and officials are hereby authorized and directed to undertake any and all other acts as may be proper and necessary to effectuate the terms of this Resolution.

**Cranbury Township Resolution # R 01-19-039
A RESOLUTION AWARDDING A PROFESSIONAL SERVICES AGREEMENT**

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

- a). Horner & Canter Associates – Conflict Traffic Consultant Services

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(Resolutions
Consent Agenda Continued)

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 be available by virtue of Planning Escrow;

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). Horner & Caner Associates - Conflict Traffic Consultant 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.

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.

**Cranbury Township Resolution # R 01-19-040
RESOLUTION OF THE TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY**

**A RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT FOR COUNSELING
SERVICES TO THE CHILDREN'S HOME SOCIETY OF NEW JERSEY**

WHEREAS, there exists a need for counseling services under the Municipal Alliance in the Township of Cranbury (the "Township") in the County of Middlesex, State of New Jersey; and

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(Resolutions
Consent Agenda Continued)

WHEREAS, The Children's Home Society of New Jersey has submitted a proposal to perform said services; and

WHEREAS, the Chief Financial Officer has certified funds are available; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*, requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised.

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

1. The Children's Home Society of New Jersey is hereby retained to provide counseling services to the Township for the period commencing January 1, 2019 through June 30, 2019; and
2. The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with The Children's Home Society of New Jersey subject to approval of the Township Committee.
3. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), because it is for services performed by persons authorized by law to practice a recognized profession.
4. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Township.
5. A notice of this action shall be published in the official newspaper with ten (10) days of said contract as required by law.

Cranbury Township Resolution # R 01-19-041
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 2018 as follows:

- a). Holman Frenia & Allison, PC – Auditing 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

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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 \$31,315.00;

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

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

a). Holman Frenia & Allison, PC - Auditing 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.

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.

Public Comment -

Mayor Taylor opened the meeting to public comment.

Deanne Napurano asked the committee to follow through regarding the Master Plan process to begin it earlier than 2020, especially the light industrial zone area of the plan. She expressed the willingness of many members in the community to participate and assist in the process.

Connie Bauder requested information on the status of drainage improvement and paving of Petty Road. She expressed the immediate need for repairs to the shoulder of the road. She also requested that Plainsboro Township be notified to not detour traffic onto Petty Road from Dey Road. It creates a traffic problem with the added vehicles causing ruts in the roadway to get worse. Ms. Marabello to contact the Chief of Plainsboro to discuss future detour plans to not include Petty Road. She also suggested that a professional company come in to fill the potholes until a better permanent solution can be made. Lastly, she added that the township needs to create an ordinance for sump pumps and not allowing them to discharge into the roadways. She believes this practice is significantly affecting the decline of Petty Road. She asked to be updated on the plans for paving in the future and asked that it be reflected in the budget.

Shasha Weinstein requested a traffic study of Shady Brook Lane to decrease the speed from 45 mph to 25 mph. She stated that many residents in the area want a traffic study in conjunction with Plainsboro Township to have the speed limit lowered. Ms. Marabello advised that it is a County road. Mr. Ferrante and Mr. Scott stated this road will be placed on the Traffic Subcommittee agenda for upcoming meeting and that she will be updated on the progress.

Janice Mondoker discussed the truck parking along roadways and asked for a solution. Due to the area in question being private property, it was suggested to have the owner block the area with cones, chains, etc. to stop the parking on their private property. He appreciates the continued discussion on the topic and is happy the Master Plan is being revisited.

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Claudette Guy asked if the new officers were now scheduled to patrol. She was advised that they are on staggering shifts. The Traffic Bureau will be in effect during the work week with regular patrol on the weekends.

Nick Moroldo discussed difference between Fulfillment Centers vs. warehouses. He asked if they were being discussed separately. Mayor Taylor advised the description will be discussed during Master Plan review.

Mayor Taylor closed the meeting to public comment.

Mayor Taylor requested a motion to adjourn. On motion by Mr. Johnson, seconded by Mr. Ferrante and unanimously carried, the meeting adjourned at 8:35 p.m.

Debra A. Rubin, RMC
Municipal Clerk